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The EU's Export of Crime Control to West Africa

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EXTERNAL PROJECTION OF INTERNAL SECURITY

THE EU'S EXPORT OF CRIME CONTROL TO WEST AFRICA

**BY
EVA MAGDALENA STAMBØL**

DISSERTATION SUBMITTED 2020



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**THE EU'S EXPORT OF CRIME CONTROL TO
WEST AFRICA**

by

Eva Magdalena Stambøl



AALBORG UNIVERSITY
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ENGLISH SUMMARY

This thesis investigates how Western crime control policies and models are exported to the Global South, and what the power implications are herein. More specifically, it explores crime control as European Union (EU) external policy, and the role of internal security issues in the EU's relations with the Sahel region of West Africa. Travelling crime control is studied through various stages of empirical exploration and levels of analysis.

Empirically, the most central contributions of this thesis are broadly threefold. First, the thesis constitutes the first mapping of EU aid to crime control and internal security across regions and over a period of 15 years. Second, based on fieldwork and interviews in Senegal, Mali, Niger and Brussels, it provides in-depth empirical knowledge about the micro-politics and practices of the EU's export of its crime control models to West Africa. Third, it empirically documents the meeting point between European crime control models and Sahelian social realities, including resistance to Eurocentric forms of control.

In terms of theory, the thesis makes contributions across Criminology and International Relations (IR): encompassing analyses of the constitutive as well as structural forms of power implicated in the EU's export of crime control and border security to West Africa and the wider southern neighbourhood. In so doing, it simultaneously advances transnational criminological theory on the relationship between crime control/penal power and state/sovereignty.

Article 1 (The External Dimension of the EU's Fight against Transnational Crime: Transferring Political Rationalities of Crime Control), co-authored with Dr. A. Russo, constitutes the first comprehensive review of the EU's export of crime control policies and 'aid to internal security' across regions and over time. Drawing on both International Relations and Criminology, it develops an analytical framework to identify the political rationalities and technologies of crime control that the EU attempts to transfer across the Eastern and Southern (extended) neighbourhoods. By scrutinizing 216 projects aimed at combating transnational crime beyond Europe's borders, spanning law enforcement, border security, criminal justice and the penitentiary sector, the empirical analysis is geared towards detecting and systematizing the ways of thinking and doing crime control that the EU seeks to promote and export. Moreover, it investigates the 'action at a distance' whereby it does so. It is argued that in shaping third countries' ability to criminalise, indict, convict and punish, the EU is simultaneously defining its own security actorness, specifically consolidating its role as a 'global crime fighter'.

Article 2 (The Rise of Crimefare Europe: Fighting Migrant Smuggling in West Africa) explores the incremental role of criminalization and crime control in European Union

(EU) foreign policy and external action. Protecting Europe from dangerous or unwanted mobility has come to drive the EU's relations with Africa. Consequently, the EU's liberal state-building agenda (promoting peace, democracy and human rights) seems to be increasingly accompanied or even sometimes supplanted by illiberal practices (criminalization, policing, surveillance, border security and militarization). Based on fieldwork in Niger, Mali and Senegal, the article investigates how West African countries' internal security apparatuses and borders are increasingly becoming a main target sector for European assistance. Yet scrutinizing policy implementation reveals that some European crime definitions and control models are locally resisted and contribute to greater insecurity by upsetting fragile micro-political stability. As such, the article problematizes the compatibility of European and African security, and argues for a collaborative engagement between Criminology and International Relations (IR) in analysing the EU's emerging global crime-fighting role.

Article 3 (Borders as Penal Transplants: Reshaping Territory, Mobility, and Illegality in West Africa) investigates an increasingly significant trend in crime and mobility control that has yet received scant criminological attention, namely 'border externalization' and the export of western 'penal aid' to the global south. It draws on fieldwork scrutinizing land border security-building by western donors in Senegal, Mali, and Niger, and observes conflicting notions of crime, mobility, territory, and sovereignty. The article argues for conceptualizing borders both as 'penal transplants' and as 'performativity,' while incorporating theoretical insights from border and security studies, anthropology and African studies. In doing so, it broadens the geographical scope and spatial awareness of border criminology and advances its theoretical and empirical understanding of the relationship between borders, crime control, and the state.

Article 4 (Neo-Colonial Penalty? Travelling Penal Power and Contingent Sovereignty) explores the relevance of neo-colonial theory for criminology, and its contribution to understanding why and how penal policy and models travel from the Global North to the Global South. An empirical example is employed to review arguments for and against 'penal neo-colonialism' and to tease out the theory's strengths and limitations; namely the European Union's 'penal aid' to shape West African countries' penal policies and practices so as to stop illicit and irregular mobility to Europe. The article further discusses neo-colonial theory's concepts of agency, power and sovereignty by comparing them to similar poststructuralist perspectives on the 'contingent sovereignty' of 'governance states'. Moreover, by drawing on a theoretical discussion on statehood in African studies, it looks at how the sovereignty of African states has been conceptualized as hollowed out 'from above' as well as 'from below'. In doing so, the article contributes to a recent criminological debate that has problematized the relationship between (travelling) penal power and state sovereignty.

DANSK RESUME

Denne Ph.-d.-afhandling undersøger, hvordan vestlig kriminalitetspolitik og modeller for kriminalitetskontrol bliver eksporteret til det globale syd, og hvilke magtimplikationer der er heri. Mere specifikt udforsker afhandlingen den kriminalitetskontrol, som en del af den Europæiske Unions (EU) udenrigspolitik, samt indre sikkerhedsanliggender i EU's relationer med Sahel-regionen i Vest Afrika. Rejsende kriminalitetskontrol bliver studeret gennem forskellige etaper samt på forskellige analyseniveauer.

Afhandlingen indeholder tre centrale empiriske bidrag. For det første udgør afhandlingen den første kortlægning af EU's bistand til kriminalitetskontrol og indre sikkerhed på tværs af regioner og over en 15 årig periode. For det andet giver afhandlingen, baseret på feltarbejde og interviews i Senegal, Mali, Niger og Bruxelles, dybtgående empirisk viden om mikropolitikker og praksisser i EU's eksport af kriminalitetskontrolmodeller til Vest Afrika. For det tredje dokumenterer afhandlingen empirisk mødet mellem europæiske kriminalitetskontrolmodeller og sociale virkeligheder i Sahel-regionen, herunder modstand mod eurocentriske former for kontrol.

Teorimæssigt udgør afhandlingen et bidrag på tværs af forskningsfelterne kriminologi og internationale relationer: omfattende analyser af produktive såvel som strukturelle former for magt impliceret i EU's eksport af kriminalitetskontrol og grænsesikkerhed til Vest Afrika og det udvidede sydlige nabolag. Derved bidrager afhandlingen samtidig til udviklingen af ny teori inden transnational kriminologi om forholdet mellem kriminalitetskontrol/straffemagt og stat/suverænitet.

Forskningsartikel 1 (The External Dimension of the EU's Fight against Transnational Crime: Transferring Political Rationalities of Crime Control), skrevet med Dr. A. Russo, udgør den første omfattende gennemgang af EU's eksport af kriminalitetspolitikker og 'bistand til indre sikkerhed' på tværs af regioner og over 15 år. På baggrund af teori fra både internationale relationer og kriminologi udvikles en analytisk ramme til at identificere de politiske rationaler og teknologier af kriminalitetskontrol, som EU forsøger at overføre til de udvidede østlige og sydlige nabolag. I artiklen er undersøgt EU 216 projekter, som har til formål at bekæmpe grænseoverskridende kriminalitet udenfor Europas grænser, spændende over politi, grænsesikkerhed, straffet og fængsel. På baggrund heraf er den empiriske analyse rettet mod at opdage og systematisere de måder at anskue og udøve kriminalitetskontrol, som EU søger at fremme og eksportere, såvel som at identificere 'handling på afstand', hvorigennem det sker. Det argumenteres for, at EU ved at præge tredjelandes evne til at kriminalisere, tiltale, dømme og straffe samtidig definerer sig selv som sikkerhedsaktør i internationale relationer og derved konsoliderer sin rolle som 'global kriminalitetskæmper'.

Forskningsartikel 2 (The Rise of Crimefare Europe: Fighting Migrant Smuggling in West Africa) udforsker den øgende rolle, som kriminalisering og kriminalitetskontrol spiller i den Europæiske Unions (EU) udenrigspolitik. Beskyttelse af Europa mod farlig eller uønsket mobilitet er kommet til at dominere EU's relationer med Afrika. Derfor synes EU's liberale model for statsbygning (ved at fremme fred, demokrati og menneskerettigheder) i stigende grad at blive ledsaget eller endda nogle gange fortrængt af, illiberale praksisser (kriminalisering, politi, overvågning, grænsesikkerhed og militarisering). Baseret på feltarbejde i Niger, Mali og Senegal undersøger artiklen, hvordan de vestafrikanske landenes indre sikkerhedsapparater og -grænser i stigende grad bliver en vigtig målsektor for europæisk bistand. Dog afslører en gennemgang af politikimplementeringen, at nogle europæiske kriminalitetsdefinitioner og kontrolmodeller møder stærk modstand lokalt og bidrager til større usikkerhed ved at forstyrre den skrøbelige mikropolitiske stabilitet. Derfor problematiserer artiklen foreneligheden mellem europæisk og afrikansk sikkerhed og argumenterer for at kombinere kriminologi og internationale relationer for at analysere EU's fremspirende rolle som 'global kriminalitetskæmper'.

Forskningsartikel 3 (Borders as Penal Transplants: Reshaping Territory, Mobility, and Illegality in West Africa) undersøger en stadig mere betydelig tendens inden for kriminalitets og -mobilitetskontrol, der endnu kun har fået begrænset kriminologisk opmærksomhed; nemlig eksternalisering af grænser og eksport af vestlig 'straffebistand' til det globale syd. Artiklen bygger på feltarbejde, der undersøger vestlige donorerers opbygning af landegrænsesikkerhed i Senegal, Mali og Niger, og observerer modstridende forestillinger om kriminalitet, mobilitet, territorium og suverænitet. Artiklen argumenterer for at konceptualisere grænser både som 'pønale transplantationer' og som 'performativitet', mens den samtidig trækker ind teoretiske indsigter fra grænse- og sikkerhedsstudier, antropologi og afrikastudier. Dermed udvider artiklen 'grænsekriminologiens' geografiske anvendelsesområde og rumlige bevidsthed, samt fremmer teoretisk og empirisk forståelse af forholdet mellem grænser, kriminalitetskontrol og stat.

Forskningsartikel 4 (Neo-Colonial Penalty? Travelling Penal Power and Contingent Sovereignty) udforsker relevansen af neo-kolonial teori indenfor kriminologien. Herunder den neo-koloniale teoris bidrag til at forstå, hvorfor og hvordan kriminalitetspolitik og kontrolmodeller rejser fra det globale nord til det globale syd. Et empirisk eksempel anvendes til at gennemgå argumenter for og imod 'pønal neo-kolonialisme', og for at få frem teoriens styrker og begrænsninger; nemlig EU's 'straffebistand' til at forme vestafrikanske landes kriminalitetspolitik og -praksisser for at stoppe ulovlig og uregelmæssig mobilitet til Europa. Artiklen diskuterer yderligere den neo-koloniale teoriens begreber om agentur, magt og statssuverænitet ved at sammenligne dem med lignende poststrukturalistiske perspektiver på 'kontingent statssuverænitet' og 'regeringsstater'. Ved at trække på en teoretisk diskussion om statslighed i afrikastudier ser artiklen desuden på, hvordan afrikanske staters suverænitet er blevet konceptualiseret som udhulet 'ovenfra' såvel som

'nedenfra'. Dermed bidrager artiklen til en kriminologisk debat, der har problematiseret forholdet mellem (rejsende) straffemagt og statssuverænitet.

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LIST OF ACRONYMS

Action Plans (APs)
African, Caribbean and Pacific (ACP)
Al Qaeda in the Maghreb (AQIM)
Association Agreement (AA)
Area of Freedom, Security and Justice (AFSJ)
Common Foreign and Security Policy (CFSP)
Common Security and Defence Policy (CSDP)
Coordination of Azawad Movements (CMA)
Countering violent extremism (CVE)
Counter-terrorism (CT)
Critical Security Studies (CSS)
Development Cooperation Instrument (DCI)
Directorate-General for International Cooperation and Development (DG DEVCO)
European Union (EU)
European Development Fund (EDF)
EU Border Assistance Mission (EUBAM)
EU Capacity Building Mission (EUCAP)
EU Emergency Trust Fund for Africa (EUTF)
EU External Action Service (EEAS)
EU Military Training Mission (EUTM)
EU Naval Force (EUNAVFOR)
EU Police Mission (EUPM)
Euro-Mediterranean Partnership (EMP)
European Civilian Protection and Humanitarian Aid Operations (ECHO)
European Foreign and Security Policy (ESDP)
European Neighbourhood Policy (ENP)
European Neighbourhood Instrument (ENI)
European Neighbourhood Partnership Instrument (ENPI)
External Dimension of EU Justice and Home Affairs (ED-JHA)
Foucauldian Security Studies (FSS)
Global Approach to Migration and Mobility (GAMM)
Group for the Support of Islam and Muslims (GSIM)
Integrated Border Management (IBM)

International Organization (IO)
International Organization for Migration (IOM)
International Police Organization (INTERPOL)
International Relations (IR)
Instrument contributing to Stability and Peace (IcSP)
Justice and Home Affairs (JHA)
Middle East and North Africa (MENA)
Movement for Oneness and Jihad in West Africa (MUJAO)
Non-governmental Organization (NGO)
Organization for Economic Co-operation and Development (OECD)
Police and Judicial Co-operation in Criminal Matters (PJCCM)
Schengen Information System (SIS)
Security Sector Reform (SSR)
Serious and Organized Crime Threat Assessment (SOCTA)
Stabilisation and Association Process (SAP)
Standing Committee on Operational Cooperation on Internal Security (COSI)
Transnational organized crime (TOC)
UN Convention against Transnational Organized Crime (UNTOC)
UN Multidimensional Integrated Stabilization Mission in Mali (MINUSMA)
United Nations (UN)
United Nations Development Programme (UNDP)
United Nations Office on Drugs and Crime (UNODC)

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CHAPTER 1. INTRODUCTION

‘The Sahel constitutes Europe’s southernmost geopolitical border: any instability here will automatically contaminate the European neighbourhood’ (Simon et al. 2012: 5). This quote from a European Parliament report is highly illustrative for how the Sahel region of West Africa has come to be understood as a direct security threat to Europe. Transnational organized crime, terrorism and migrant smuggling, allegedly thriving due to porous borders and the states’ lack of capacity to police, prosecute and punish, have become seen as key challenges not only to African communities but also to Europe. The perception of a sovereignty-deficit with regard to territorial control and the fight against transnational crime has attracted the engagement of a myriad of European and other international actors to teach Africans how to fight crime and to improve West African states’ security and crime control capacities. This incursion of external actors (among them former colonial powers) into the heart of internal security of West African countries in the name of crime control is, in turn, meant to buttress their sovereignty.

This thesis is about criminalization and crime control in international relations (c.f. Andreas and Nadelmann 2006), particularly in EU-West Africa relations. More specifically, it deals with how matters of internal security have come to shape the foreign policies and external action of Western countries – especially those of the EU – vis-à-vis countries in the Global South – especially the Sahel region of West Africa. An important part of this broader policy development is the growing export and transfer of crime definitions, policies and control models from Europe to West Africa. Thus, the dissertation aims to bring ‘the political’ to the centre of analyses of crime control at various levels of investigation. It does so by giving attention both to broader trends of ‘crime control as EU external policy’, meso-level crime policy export, as well as to micro-political agency, negotiations and ‘localization’. Moreover, it takes into account the social realities of extra-legality and conflict in the Sahel as well as policy-formulation in Brussels.

1.1. BACKGROUND

The background for this dissertation was the observation that the fight against transnational crime is increasingly permeating EU external relations. However, due to the ‘division of labour’ between criminology as a discipline of the ‘inside’ and International Relations (IR) as a discipline of ‘the external’ (Loader and Percy 2012), it had not yet been studied or conceptualized as a matter of crime policy and crime control. This PhD research therefore embarked on a criminological exploration of EU external policy.

‘Crime control as EU external policy’ is a longstanding trend in line with a broader shift in Western countries’ foreign policies towards combating ‘new’ or

‘unconventional’ security challenges after the Cold War (Andreas 1997; Duffield 2007; Abrahamsen 2016). The Justice and Home Affairs (JHA) area of EU policy has not only been among the fastest-growing areas of European integration, but it has also come to play a crucial role in the EU Enlargements as well as in the European Neighbourhood Policy (ENP) and beyond. Cooperation has progressively intensified between EU, its neighbours and its neighbours’ neighbours on police, judicial and criminal matters as well as on border security (Wolff et al. 2009; Trauner and Carrapico 2012). Simultaneously, the EU has emerged as a global actor on security sector reform (SSR), in which the central idea is that reforming the criminal justice and internal security sector is crucial for peacebuilding and post-conflict reconstruction (Ioannides and Collantes-Celador 2011). Yet a few years before the commencement of this PhD research, two events took place that would come to accelerate the role of criminalization and crime control in EU external relations, thus forming the backdrop for this dissertation.

2015 was a turbulent year for EU Justice and Home Affairs, as Europe would experience both what some have referred to as a ‘migration crisis’, as well as a large-scale terrorist attack in Paris. The EU would seek to mitigate what it viewed as ‘externally originating internal security threats’ through deepening third country cooperation, and several steps were taken to intensify and mainstream internal security issues in EU external policy. Notably, at the Valletta Summit between European and African heads of states in November 2015, an Emergency Trust Fund for Africa (EUTF) was launched to finance projects to halt migration to Europe, as well as bolstering the internal security and border capacities of third countries. At the moment of writing EUTF comprises €4,7 billion,¹ most of it pooled from other EU instruments such as the European Development Fund (EDF), but also from the Member States, Norway and Switzerland (see Akkerman 2018). Its objective is ‘to address the root causes of instability, forced displacement and irregular migration and to contribute to better migration management’² and to ‘build a comprehensive approach to support all aspects of stability, security and resilience’.³ In doing so, EUTF directly supports the EU’s new direction in foreign policy which became enshrined in the 2016 *Global Strategy for the European Union’s Foreign And Security Policy*, consolidating stabilization as a main aim of EU foreign policy, cementing migration and terrorism as security priorities, and shifting the EU’s self-proclaimed ‘normative power’ role (c.f. Manners 2002) towards one of ‘principled pragmatism’ (EUGS 2016).

In the EU’s focus on halting migration and combating security threats, the Sahel region has come to receive much attention. The EU’s 2015 Sahel Regional Action

¹ https://ec.europa.eu/trustfundforafrica/index_en (Accessed 26.6.2020).

² https://ec.europa.eu/trustfundforafrica/index_en (Accessed 6.6.2020).

³ https://ec.europa.eu/international-partnerships/trust-funds_en (Accessed 6.6.2020)

Plan identified four areas of action to be prioritized and reinforced – three of which directly reflect the EU’s Justice and Home Affairs agenda: 1) Preventing and countering radicalisation, 2) creating appropriate conditions for youth, 3) migration and mobility, 4) border management, fight against illicit trafficking and transnational organised crime (Council 2015: 5). Under the Partnership Framework for Migration,⁴ launched in 2016, five sub-Saharan states were selected as EU foreign policy priority countries – of which the three that receive the highest amounts of funding through EUTF are found in the Sahel region: Senegal,⁵ Mali and Niger. This thesis explores how the EU’s crime control policies and models have travelled to these three countries.



Image 1. Political Map of West Africa borrowed from the Nations Online Project.⁶

Senegal constitutes an early case of Europe’s external fight against transnational crime. In the mid-2000s, it was discovered that cocaine trafficking routes from Latin

⁴ https://ec.europa.eu/commission/presscorner/detail/en/IP_16_2072 (Accessed 26.2.2020).

⁵ Senegal is sometimes and sometimes not considered as part of the Sahel region. It is not one of the countries that the EU’s Sahel Strategy and Regional Action Plan, which now covers the G5 Sahel countries Burkina Faso, Chad, Mali, Mauritania and Niger.

⁶ <https://www.nationsonline.org/oneworld/map/west-africa-map.htm> (Accessed 29.6.2020).

America destined for European markets had been displaced into West African coastal countries to omit increased control on other routes (UNODC 2013; Vigh 2012). About the same time, Europe would experience its first ‘wave’ of West African boat migration to the Canary Islands and across the land borders of the Spanish enclaves of Ceuta and Melilla. The EU launched various projects to counter both drug trafficking as well as migration and ‘migrant smuggling’ from Senegal through bolstering Senegal’s internal security and border capabilities. Spain negotiated agreements with Senegal and Mauritania on co-patrolling of the coast and the training of border guards on land borders, and the EU deployed Frontex operation Hera in Senegalese waters in 2006 to intercept the boat of migrants and their facilitators (Carrera 2007; Van Criekinghe 2009; Carling and Hernández-Carretero 2011; Andersson 2014; Frowd 2018). This cooperation has since both deepened and expanded.

Mali is seen as the epicentre of the West African ‘Jihadi threat’, experiencing a multidimensional crisis since 2012 when the entire north of the country was swept by a Touareg rebellion, a subsequent coup d’état, and the emergence of a complex landscape of Islamist insurgent groups. International actors descended on Mali in 2013 in the form of the French military *Operation Serval* (which later morphed into *Operation Barkhane* and spread into the other G5 Sahel countries as well) and a United Nations Multidimensional Integrated Stabilization Mission (MINUSMA). The EU deployed two Common Security and Defence Policy (CSDP) missions to train the military and police, in 2013 and 2015 respectively, with mission mandates to counter transnational organized crime and terrorism. In 2015, The Malian government and the Touareg rebels signed a peace agreement, and there has been a gradual attempt at co-opting the Touareg combatants into regular security forces. However, at the same time the main conflict theatre moved to the Liptako Gourma region, also dubbed the Three Border Region as it comprises Mali’s borderlands with Niger and Burkina Faso, where Islamist armed groups were appropriating local conflicts over land rights and ethnic cleavages – particularly between the Fulani, Dogon and Bambara (Sandor 2017). Mali has now become a ‘laboratory’ for the EU’s comprehensive approach to security (Cold-Ravnkilde and Nissen, *forthcoming*), and a myriad of international actors are present with different kinds of security-focused projects. Still, security in Mali continues to deteriorate.

Niger came to the European spotlight with the so-called ‘migration crisis’ in 2015, when it became widely known that hundreds of thousands of migrants were passing through this large desert country on their way northwards to Libya and Algeria and allegedly to Europe (Brachet 2018). An EU police training mission was already in place since 2012 with the mandate to fight transnational organized crime and terrorism. However, when Niger became labelled a crucial ‘transit country’ for migrants (Frowd 2019), President Issoufou would rise to the task to become one of the EU’s key partners in ‘breaking the business model of migrant smugglers’ against a substantial increase in aid (Molenaar et al. 2017; Raineri 2018; Stambøl 2019). Since

then, the country has become a target for a range of EU projects aimed at fighting mobility-related crime and other transnational security threats.

1.2. THE EMPIRICAL AND CONCEPTUAL RESEARCH GAP: TRAVERSING DISCIPLINARY BOUNDARIES

The topics of ‘crime control as external policy’ and particularly Europe’s export of crime control models to Africa, has escaped academic scrutiny to a large extent because the edges of this research gap are drawn up along the lines of disciplinary boundaries.

Criminology is still very much a discipline focusing on the inside of nation-states in the Global North (predominantly North America and Europe), something which is reflected in criminological theory and epistemology (Aas 2012a; Carrington et al. 2016; Fonesca 2018). An emerging sub-field of ‘global’ or ‘transnational’ criminology has emerged over the past decades, looking into topics such as the globalization of crime and crime control (Aas 2007; Sheptycki and Wardak 2005) including European and international police cooperation (Bowling and Sheptycki 2012). Yet, criminologists have not researched EU foreign policy and external action (except for scattered case studies of particular EU interventions, typically on police training and more recently on borders in the Western Balkans, see e.g. Milivojevic 2019). In other words, the broader policy trend of crime control becoming an increasingly salient component of EU external policy and action across regions has been overlooked by criminologists – probably because criminologists do generally not see foreign policy as their domain of study (c.f. Loader and Percy 2012).

International Relations (IR) scholars have long been attentive to the tendency of internal security matters increasingly driving EU external policy (e.g. Wolff et al 2009; Wichmann 2007; Bigo 2000; Trauner and Carrapico 2012). However, they have not conceptualized it in terms of crime and crime control, something that has made them miss out on empirical and analytical dimensions that criminologists would pay awareness to. For instance, the sub-discipline of critical security studies (CSS) has many parallels to criminology, yet the two scholarly traditions rarely speak to one another despite attempts from both sides at making them do so (see Special issue in *Global Crime* 13(4) 2012; Special issue in *British Journal of Criminology* 56(6) 2016; Special issue in *Global Crime* 18(3) 2017; Ardaul and van Munster 2009). Studying criminalization and crime control translates into a slightly different research agenda than exploring securitization and security policy, although the ‘objects’ of research may sometimes be the same. This is because these analytical vocabularies are indebted to distinct intellectual debates and theoretical traditions (although there is a lot of overlap with both strands drawing strongly on Foucauldian and/or Bourdieusian sociology). Furthermore, the research gap on crime control as EU foreign policy and external action is reinforced by sub-disciplinary divisions within the discipline of IR itself, which very much mirror the fragmentation of different areas of EU policy.

Research on the ‘external dimension’ of EU Justice and Home Affairs (hereinafter ED-JHA) – meaning the processes by which internal security actors and issues are attaining increasingly important roles in EU external relations – has developed within a niche of EU studies that predominantly grew out of Justice and Home Affairs research in EU public policy scholarship (e.g. Wolff et al. 2009, Wichmann 2007, Trauner 2011a; Carrera 2007; Monar 2010; Cremona 2011; Mitsilegas 2007, 2010). This niche, dominated by legal scholars and institutionalist theorists, has focused on regulative, institutional and technocratic processes in Brussels and has not given much attention to how policies have transformed EU action on the ground in third countries. An exception is the growing interdisciplinary field of European border and migration studies, which is to some extent connected to the ED-JHA niche (e.g. Bigo and Guild 2005; Carrera et al. 2019; Casas et al. 2010; Casas-Cortes et al. 2016) but which has focused almost exclusively on migration and not on crime. Notably, the above-mentioned strands have only incidentally spoken to EU foreign policy studies, which have tended to focus on traditional power politics and EU Common Foreign and Security Policy (CFSP). When the latter have given attention to ‘internal’ security issues, crime and policing, these have usually been seen within the prism of the mandates of Common Security and Defence Policy (CSDP) missions on security sector reform (SSR) (e.g. Schröder and Friesendorf 2009; Merlingen 2011; Merlingen and Ostrauskaite 2005, 2007; Ioannides and Colantes-Celador 2011). Another, rather separate field of study is EU development policy, where researchers (predominantly from development studies and political/development economy) have noticed that the European Commission’s agenda and development aid in Africa has changed from a focus on development to a focus on security (e.g. Gibert 2009; Keukeleire and Raube 2013; Langan 2015, 2018). This area of research is often more connected to African studies, which again is more related to Peace and Conflict studies and anthropology (see e.g. Bøås 2015; Brachet 2018; Raineri and Strazzari 2019; Vigh 2019). In short, exploring ‘crime control as EU external policy and action’ has meant navigating and traversing this terrain between (sub)disciplinary divisions. The ambition of this dissertation is thus to bridge all these gaps between disciplinary boundaries and to make criminology and IR (and their relevant sub-strands) talk to one another.

1.3. THE AIMS OF THE THESIS

Empirically, the aim has been to trace the entire ‘chain’ of European crime control exported: From EU external crime policy formulation in Brussels, the processes and modalities by which crime control policies and models are exported to third countries, as well as the meeting point between policy implementation and social realities on the ground in the Sahel region of West Africa. As such, it has set out to capture both the broad ‘macro’ policy trends and structures as well as the micro-practices of implementation of crime control in third countries and their consequences.

In terms of theory, the aim has been to make contributions across criminology and IR, exploring the productive as well as structural forms of power in the EU’s export of

crime control to West Africa. In doing so, it simultaneously seeks to advance criminological theory on the relationship between crime control/penal power and state/sovereignty.

1.4. RESEARCH QUESTIONS

The overarching research question posed in all four articles is:

- *How are Western⁷ crime control policies and models⁸ exported to the Global South, and what are the power implications herein?*

The dissertation investigates especially, but not exclusively, how crime control models are exported by the EU to the Sahel region in West Africa.

Sub-questions, which are not necessarily posed in all four articles but in at least one of them, aim to explore various stages and levels of the north-south travel of crime control models:

1. How does the EU problematize ‘transnational (organized) crime’ as an object of governance in its (extended) neighbourhood, and how is this object rendered governable through particular political technologies of crime control? (Article 1)
2. How are European crime definitions, policies and models exported to West Africa, and how are they transformed (or not) when intertwined with the logics and rationalities of foreign and development policy? (Articles 2 and 3)
3. How are Western crime control models implemented on the ground in the Sahel, what happens in their meeting with local social realities, and what are the consequences of transplanted European models? (Articles 2 and 3)
4. Within what (historical) structural power relations are North-South exports of crime control models embedded, and how can neo-colonial theory shed

⁷ The term ‘Western’, which is used interchangeably here with the ‘Global North,’ refers to Europe and North America. While not correct in terms of geography, Australia may fit into these categories as well.

⁸ ‘Crime control model’ is defined in this dissertation, following Cohen (1988: 176), as ‘the symbolic, ideological or theoretical way in which the control system might make sense of what it has done, is doing or intends to do’. Article 1 explores whether such a thing as an ‘EU crime control model’ can be discerned from empirical exploration.

light on the ways in which penal power travels and its relationship to state sovereignty? (Article 4)

1.5. CLARIFICATION OF THE SCOPE

This thesis takes a middle ground between two positions. On the one hand, it does deal to some extent with policy-making at EU level and particularly broader policy trends, but it does not explore the negotiations between the Member States or study in-depth the policy-making dynamics and processes in Brussels, which is typically the focus of EU studies. On the other hand, although the thesis analyses how EU crime policies are implemented in West Africa and controversies that arise in the local context, it does not include in-depth ethnographic explorations of whether or the extent to which European thinking and doing crime control is ‘translocated’ into local culture. This middle ground is thus aimed at attaining a broad overview by exploring the entire crime control export process to several countries.

CHAPTER 2. STATE OF THE ART

This chapter serves the dual purpose of providing a more in-depth description of the field of research than that which is provided in the articles, as well as giving an overview of the research gaps and biases in the literature. As such, it accounts for both the developments in EU policy and in West Africa, as well as reviewing the existing scholarly literature.

2.1. TRANSNATIONAL CRIMINOLOGY AND TRAVELLING CRIME CONTROL

How crime policy and control models travel between countries and geographical regions has been subject to some criminological attention (Wacquant 1999; Karstedt 2002, 2007; Aas 2011a; Melossi et al. 2011; Jones and Newburn 2007; Newburn and Sparks 2011; Newburn et al. 2018; Walklate and Fitz-Gibbon 2018; Blaustein 2015). Still, most contributions have tended to look at the transfer of policy and models from the USA to the UK, and only a few contributions have dealt with other directions of travel – such as the EU’s eastward expansion (Karstedt 2007), the Western Balkans (Blaustein 2015; Milivojevic 2019), or Latin America (Sozzo 2011; Blaustein 2016). Notably, Melossi et al. (2011) called for going beyond the typical Anglo-American criminological focus to explore how the ‘travels of the criminal question’ often take place along the lines of linguistic and cultural affinity – for instance, between Italy, Spain and Latin America.

Globalization and the increased interconnection between countries and people from different parts of the world have accelerated the moving of crime control ideas, policies and models from one place to another (Aas 2007, 2013; Sheptycki and Wardak 2005). Also ‘the international’ has been identified as a key site of cross-border diffusion of crime definitions, control models and policies (Jakobi 2013; Andreas and Nadelmann 2006). Already in 1988, Stanley Cohen observed that the travel of Western crime control models to the Third World was often facilitated by international agencies and organizations such as the United Nations, with an aim to advance underdeveloped criminal justice systems in developing countries into effective and rational ones. Indeed, the emergence of ‘global prohibition regimes’, and the international ‘procedural regimes’ that support them have harmonized penal codes of countries across the world and facilitated cross-border operational cooperation in criminal matters (Andreas and Nadelmann 2006; Jakobi 2013). Simultaneously, a growing number of international organizations and bodies have become engaged in crime control at an international level, such as the International Police Organization (INTERPOL) since 1923, the United Nations Office on Drugs and Crime (UNODC) since 1997, and Europol since 1998, to mention some. Transnational police cooperation has become an increasingly popular topic for criminological inquiry (e.g. Bowling and Sheptycki 2012; Andreas and Nadelmann

2006; O'Reilly 2010; Ellison and O'Reilly 2008). These authors have noted that developing countries in the Global South have been constructed as the 'weak link' in global crime control: due to their underdeveloped legal frameworks and lack of investigation and prosecution capacity, they are seen to provide safe havens to which transnational criminals from across the globe can flee to escape prosecution (Andreas and Nadelmann 2006). As such, incremental efforts have been put in place by Western countries and international crime control structures and organs to provide 'penal aid' to developing countries with allegedly 'flawed' criminal justice systems and security apparatuses (Brisson-Boivin and O'Connor 2013). This type of aid 'uses rule of law theories and practices to develop credible criminal justice institutions and reform penal practices throughout the world,' by providing penal and procedural norms, indicators and standards for accountability, understood to be essential for advancing transnational security (Brisson-Boivin and O'Connor, 2013: 516 and 521).

The criminological literature that has explored the Northern export of crime control models to the Global South (or East) have almost exclusively focused on *policing models* and/or *police reform*, mostly in the context of post-conflict reconstruction (Ellison and Pino, 2012; Bowling and Sheptycki 2012; Blaustein, 2015; Goldsmith and Scheptycki, 2007; Pino and Wiatrowski, 2006; Brogden and Nijhar, 2005). These scholars have observed that security sector reform (SSR), police reform and the flow of crime control models and police expertise from the Global North to developing, post-authoritarian and transitional states has become a global industry comprising enormous sums of money, although evidence of efficacy is scarce (Ellison and Pino 2012: 2, 70). In the 'global marketplace' of crime control models and policing expertise (Ellison 2007) the division between state and corporate interests is often blurred (O'Reilly 2010). Many Western police officers have created careers for themselves as transnational 'policy entrepreneurs' selling counter-terrorism and democratic policing experience as 'best practices' (Ellison and O'Reilly 2008). The policing models exported tend to be 'one size fits all' templates that often do not fit to the local context in which they are to be implemented, and are moreover often distorted in the implementation phase (Ellison and Pino 2012; Blaustein 2015). In fact, there is substantial controversy about the actual meaning of terms such as 'community policing' or 'democratic policing' (the types of policing frequently exported) (Ellison and Pino 2012; Blaustein 2015). It is generally disputed that Western crime control knowledge and models can simply be transplanted into different contexts, as is the instance of exporting democratic policing to non-democratic states (Ellison and Pino 2012; Ellison and O'Reilly 2008; Blaustein 2015). Moreover, it is argued that the asymmetrical structures that characterize liberal interventions including externally-driven, and often top-down, police reform in practice negate the possibility of establishing democratically responsive and locally accountable policing (Blaustein 2015: 35). Still, none of these contributions has focused on the EU as an actor in police reform in the Global South – not even Blaustein 2015, despite writing about Western Balkans which was the birthplace of the EU's Common Security and Defence Policy (CSDP) police training and SSR missions (but see Milivojevic 2019 on EU border

security building in the Balkans). In general, the European Union and its crime control organs such as Europol, Eurojust and Frontex have only received attention from criminologists concerning their role in controlling crime *within* Europe and on the external borders (e.g. Aas 2011b; Aas and Gundhus 2015), while the EU's emerging role as a 'global crime fighter' (meaning its activities to fight crime *beyond* Europe) has been ignored. Apart from the literatures on police cooperation and reform, international criminal justice or transitional justice, criminologists have rarely dealt with issues of foreign and external policy.

In fact, the Global South generally and on Africa particularly have been meagerly represented in criminological literature, remaining outside the mainstream of the discipline. This omission of large swaths of the world has to some extent been remedied by a rather recent criminological interest in postcolonial theory and epistemologies from the South (Carrington et al. 2016; 2018; Fonesca 2018; Brown 2016; Agozino 2004; Saleh-Hanna 2008). These contributions have criticized the discipline for reproducing northern hegemonic power structures, where most of the knowledge produced – and especially that which makes it to be published in top-level journals – come from the Global North (Aas 2012a). Calls have thus been made for de-centring and decolonizing criminology, manifested among other through the emergence of a 'Southern Criminology' (Carrington et al. 2016, 2018) and a brand new journal – *Decolonization of Criminology and Justice* in 2019. Yet, this new 'criminology of the Global South' has till date had very few contributions on Africa (but see Agozino 2019, 2003, 2005; Saleh-Hanna 2008). While there exists an 'Africana criminology', and an *African Journal of Criminology and Justice Studies*, both with Biko Agozino as a driving force, these have remained on the fringes of the discipline. Still, specifically relevant with regard to this dissertation, the 'Africana criminology' has been very little concerned with the (new) interventions of Western countries, and there has been no contribution yet dealing with Africa-EU relations. Moreover, this strand of criminology seems more concerned with postcolonial critique and has not taken into account the scholarly debates in the Africanist literature on political organization and statehood that this dissertation draws on.

To sum up, while a 'transnational' or 'global' criminology has emerged over the past decades, giving attention to issues of international crime control, transnational police cooperation and Western police reform in post-conflict societies, few contributions have touched upon the EU's role as an actor in global crime control and its export of crime control as part of external policy. Moreover, while criminology has recently become interested in postcolonial theory and epistemologies from the Global South, and while a strand of 'Africana criminology' has also emerged, no criminologists have yet approached the issue of Africa-EU relations. To shed light on these topics, the literature review therefore turns to International Relations (IR) and EU studies in particular.

2.2. THE EXTERNAL DIMENSION OF EU JUSTICE AND HOME AFFAIRS (ED-JHA)

In Europe, the policy area of Justice and Home Affairs (JHA) – also referred to as the Area of Freedom, Security and Justice (AFSJ) – has been among the fastest-growing areas EU law and policy (Mitsilegas 2007, 2010; Wolff et al. 2009). Scholarship on JHA has been broad and interdisciplinary (including criminology, law, political science and IR). Criminologists have for instance given attention to the expanding number of databases and surveillance systems enacted at EU level – such as the Schengen Information System (SIS) and Eurodac (Aas 2011b), police and judicial cooperation in criminal matters, Europol and the European Arrest Warrant (Ugelvik 2018), as well as the rise of Frontex as an agent of ‘humanitarian policing’ of the EU external borders (Aas and Gundhus 2015). They have also observed that there is a tendency in Europe (and at EU level) to treat (irregular) migration and mobility as crime: the blurring of immigration law and criminal law and the closing up of migrants in administrative forms of closed detention has been termed ‘crimmigration’ and ‘crimes of mobility’ (Aas and Bosworth 2012; Aliverti 2013; Franko 2020). Scholars from critical security studies (CSS) have referred to the administrative/judicial co-location of responses to very different ‘security threats’ such as terrorism, organized crime and irregular migration as a ‘security continuum’ (Bigo 2000). Indeed, the Area of Freedom, Security and Justice has come to prioritise security, thus in reality undermining freedom and justice (Balzacq and Carrera 2006). However, scholarly work on the ‘*external dimension*’ of JHA (hereinafter ED-JHA) has developed almost exclusively within a delimited niche of EU studies.

Although drug trafficking and organized crime had been issues of EU external relations already since the late 1980s, the official beginning of ED-JHA is considered to be the 1999 Tampere European Council (Wolff et al. 2009, Balzacq 2009; Trauner and Carrapico 2012). Coinciding with a broader Western trend to make ‘unconventional security issues’, such as transnational crime, ‘illegal’ migration and terrorism, matters of foreign policy after the Cold War (see e.g. Andreas 1997; Abrahamsen 2016), the EU progressively incorporated the fight against crime-related security threats into its external policy. The 2003 EU External Security Strategy crystalized the EU’s ambitions to become a global actor in the ‘new’ landscape of cross-border security, and two years later both the Commission (2005) and the Council (2005) followed up with Strategies for the JHA external dimension. Since then, the ED-JHA has been a recurrent theme in EU strategic and programmatic documents, such as the 2004 Hague and the 2009 Stockholm Programmes. The external dimension of the EU’s fight against organized crime came to be further institutionalized in the EU Policy Cycle on Serious and Organized Crime, adopted in 2010, that tasked Europol with gathering and analyzing both internal and external crime threats in so-called ‘serious and organized crime threat assessments’ (SOCTAs) so that this knowledge and intelligence could form the basis for EU policy-making and action internally as well as externally (see e.g. Scherrer et al. 2011; Alegre et al.

2009). Also, the EU's 2010 Internal Security Strategy contained an 'external dimension', and the EU's Global Strategy (2016), which shifted the EU's foreign policy focus towards *stabilization*, made migration and terrorism EU foreign policy priorities. Together with the CSDP Compact (Council 2018), these strategies reinforced the 'internal-external security nexus' and called for enhancing cooperation between actors, alignment of processes and convergence of tools of Area of Freedom, Security and Justice (AFSJ) and Common Security and Defence Policy (CSDP).

The body of scholarly literature on ED-JHA has been organized along three dimensions: the vertical dimension (inter-institutional dynamics, decision-making), the sectoral dimension (policy areas), and the horizontal dimension (geographical foci, cooperation with third countries and regions) (Trauner and Carrapico 2012). The *vertical dimension* contains the most voluminous fraction of the ED-JHA literature, where predominantly legal and institutionalist EU public policy scholars have driven excavation into the legal, policy-making, institutional and bureaucratic processes of the ED-JHA expansion (e.g. Mitsilegas 2007, 2010; Cremona 2011; Monar 2012; Wichmann 2007; Carrera 2007; Wolff et al. 2009; Trauner 2011a). A main focus of this inquiry has been the notoriously complex legal basis of ED-JHA, as well as problems stemming from institutional silos – principally between the European Commission and the Council.⁹ Research questions have ranged from ontological debates on what the ED-JHA is – a policy universe, field, space or governance network (e.g. Smith 2009; Balzacq 2009); what legal, institutional and political conditions that have prompted its development (e.g. Wolff et al. 2009); its relations to and intertwining with EU Foreign Policy (CSFP and CSDP) (e.g. Argomaniz 2012; Mounier 2009); to what kinds of (security) governance and political leverage that the

⁹ Before the entry into force in 2009 of the Lisbon Treaty, the ED-JHA legal basis (Amsterdam Treaty) was fragmented across the three EU Pillars (particularly the second - Common Foreign and Security Policy (CFSP) - and the third - Police and Judicial Co-operation in Criminal Matters (PJCCM) but also having links to the first Community Pillar) and scholars would refer to ED-JHA as an instance of 'cross-pillarization' (e.g. Wolff et al. 2009). Doing substantial alterations to the ED-JHA, however, the Lisbon Treaty abolished the pillar structure, communatarized the third pillar of JHA (but not the former second pillar of CFSP), provided the EU with a single legal personality (Article 47 TEU) and a single treaty-making procedure (Article 218 TEU). Other key changes included giving the European Parliament (EP) a role as co-legislator, changing the legislative procedure from unanimity to majority voting, and creating the EU External Action Service (EEAS) (c.f. Monar 2012; Cremona 2011). Still, the EU's external activities in the field of internal security have not been attributed any legal basis in the Treaties: 'actorness' is conferred upon the EU by its Member States, and competences are implied based on internal objectives where external action is needed to achieve them (Article 216(1) TFEU). Among other due to this lack of a formal legal basis and problems of internal coordination, critics have attacked the ED-JHA for having developed in a haphazard way and resulting in lack of coherence and consistency with other EU policies and principles (e.g. Alegre et al. 2009; Carrapico 2013).

EU is exerting upon its surroundings (e.g. Lavenex and Wichmann 2009; Lavenex and Schimmelfennig 2012). The expansion of ED-JHA is attributed both to deliberate decisions as well as to unintended ‘spillover effects’ from other policy areas (Trauner and Carrapico 2012: 3; Pawlak 2012). While JHA pre-Lisbon was intergovernmental, and responsibility for ‘cross-pillar coordination’ and coherence was held by the Committee of Permanent Representatives, the gradual introduction of the Community method in the area of JHA increased the roles of supranational actors such as the European Commission and European Parliament (Trauner and Carrapico 2012). It also led to a multiplication of EU agencies and bodies dealing with JHA issues – termed by Trauner and Carrapico as an instance of ‘agentification’ of policy’ (2012: 9). Also, the range of EU policy tools and instruments to deal with JHA matters in external relations (c.f. Balzacq 2008) has grown, including instruments of border management (Pawlak and Kurowska 2012; Léonard 2015; Carrera and Hernanz 2015) or surveillance technology and large-scale IT systems like criminal intelligence databases and passenger name records (Bellanova and Duez 2012, Pawlak 2012). The Ministers of Interior and Justice, as well as police and intelligence services, of the Member States, attained growing roles in the making and shaping of ED-JHA policy area. This happened to the extent that the European Parliament on several occasions voiced concerns that police and judicial cooperation in criminal matters with third countries was implemented at the expense of human rights and civil liberties, and that it lacked judicial scrutiny (Trauner and Carrapico 2012: 8). While the Lisbon Treaty enhanced parliamentary oversight over this notoriously secretive and little transparent area of policy-making, there are still accentuated critiques of the lack of democratic oversight and accountability (Alegre et al. 2009; Carrera et al. 2019). The emergence of the EU External Action Service (EEAS) was seen as a potentially important step towards the ‘routinization’ and ‘structuration’ of EU cooperation with third countries, including the EU’s capacity to act as a coherent actor in external relations (Trauner and Carrapico 2012: 10). Indeed, important issues in the ED-JHA literature have been the extent to which the ED-JHA is coherent and consistent with other EU policies – whether it be internal policies, other policy areas, or the core principles and values underpinning the Union. A related key issue has been the tension between security on the one hand and fundamental freedoms and human rights on the other (see e.g. Balzacq and Carrera 2006).

In terms of the *sectoral dimension*, or policy areas, the literature has been dominated by the issue of (irregular) migration (see next section 2.3 on border externalization). Studies on counter-terrorism cooperation (especially with the Southern Neighbourhood) have been fewer but increased in recent years (see e.g. Argomaniz 2012; Martins and Ferreira Perreira 2012; Durac 2018; Joffé 2008). Research on transnational (organized) crime is, however, remarkably scarce (except for Carrapico 2013, Strazzari and Cotticchia 2012, Renard 2014, Longo 2003), something that this dissertation aims to remedy.

In terms of the *horizontal dimension*, or geographical foci, the regions closest to the EU have received the most attention, with scholarly interest decreasing in tandem with geographical distance. The external dimension of JHA first emerged in the context of the EU Enlargements of 2004¹⁰ and 2007,¹¹ as the post-communist candidate countries were seen as criminogenic sources of insecurity needing to deal with their crime problems before being allowed into the European common market (Mitsilegas 2007). As such, they had to implement the EU JHA *acquis* in its entirety and to remodel their institutions and mentality/culture in the criminal law sphere. EU criminal law and institutional structures were, however, constantly evolving and growing, leaving candidate countries with the difficult task of implementing a ‘moving target’ (Mitsilegas 2007: 461). Still, the membership prospective was a strong incentive for the adoption of EU criminal law and JHA policies: EU crime policy export was predominantly a coercive top-down process (Karstedt 2002; Grabbe 2003). For instance, in 2008 the EU blocked Bulgaria’s access to funds in order to sanction the country for its failure to contain organized crime (Anastasijevic 2010). However, seen as an overall success story of effective policy transfer (Lavenex and Schimmelfennig 2012), the EU went on to use the Enlargement template of external influence in the Western Balkans.

The Western Balkans were seen by the EU as a major gateway of drugs (mainly heroin coming from Afghanistan through Turkey) and illegal immigrants into Europe, also connected to problems of porous borders, corruption, money laundering and terrorism (Trauner 2009). At a ministerial conference in London in 2002 organized crime in Southeastern Europe was framed as an ‘enemy’ and a ‘mega threat’ to the region as well as to the EU (Merlingen and Ostrauskaite 2005: 310). However, scholars note that the reiteration of organized crime as a key threat was hardly substantiated by any empirical data (Merlingen and Ostrauskaite 2005), and the data that did exist reflected perceptions and political interest rather than systematic empirical research (Schröder and Friesendorf 2009: 145). It was also in the context of the Western Balkans that organized crime was for the first time conceptualized by the EU in connection to conflict and post-conflict reconstruction in fragile and failed states, as both a spoiler of and objective for peace-building and state-building interventions (Strazzari and Cotichia 2012). The EU sought to counter ‘security threats’ in the Western Balkans mainly two ways: through integration on JHA law and policies (as with Enlargement), and through European Foreign and Security Policy (ESDP, now called CSDP) missions (on the latter, see section 2.4 in this chapter). Integration on JHA was an important component within the framework of the Stabilisation and Association Process (SAP) with (real or potential) candidate countries in the Western Balkans, having four JHA priorities for the region: 1) police, public order and organized crime,

¹⁰ Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia, and Slovenia.

¹¹ Bulgaria and Romania.

2) integrated border management, 3) judicial reform; and 4) asylum and migration (Trauner 2007: 4). Most Western Balkan states were on the EU's negative visa list, and the EU used cooperation on security issues, in particular on organized crime and illegal immigration (especially on readmission), as a main pre-condition for liberalization and facilitation of visa requirements (Trauner 2007). It is important to note that it was in the Western Balkans that the EU first moulded a role for itself as a foreign policy actor and a 'global security provider' (Ferreira Nunes 2010), including the development of foreign policy tools and instruments such as ESDP missions, and its experience here came to shape its policies towards other regions.

In its Southern Neighbourhood, the EU has, since the Barcelona Process/Euro-Mediterranean Partnership (EMP) was initiated in 1995, set out to build an area of peace and stability around it. This meant progressively incorporating JHA objectives into external relations. The Common Strategy for the Mediterranean from 2000 included a whole chapter on JHA, mentioning cooperation against crimes such as illegal immigration networks, trafficking in human beings, organized crime, drug trafficking and money laundering (Wolff 2012: 77). Yet 9/11 and several following terrorist attacks on European soil perpetrated by persons with links to the Middle East and North Africa (MENA) accelerated the securitization of the EU's relations with the region, and EU policy and discourse started linking terrorism to migration without basing this on empirical evidence (Joffé 2008). JHA cooperation with the Southern Neighbours took place on the level of subcommittees on 'Justice and Security' and 'Migration and Social Affairs,' and negotiations and implementation happened through judicial and police expert networks rather than high-level officials – a depoliticization of JHA cooperation that continued under the subsequent framework of the European Neighbourhood Policy (ENP) (Wolff 2012: 81). Since its inception in 2003, the Southern dimension of ENP had a two-pronged track: promoting democracy and human rights on the one hand, and fostering stability and security on the other (Wichmann 2007) – however, in practice favouring the latter (Durac 2018; Roccu and Voltolini 2018; Del Sarto and Steindler 2015; Joffé 2008; Wolff 2012). Negotiations on JHA matters within ENP have primarily taken place bilaterally around Association Agreements (AAs) and action plans containing detailed chapters on JHA followed by benchmarking. While Association Councils monitored the implementation of the action plans, the thematic subcommittees on Justice and Security were charged with implementing the JHA chapters of the AAs (Wolff 2012: 84). As JHA cooperation with the southern neighbours has been a highly sensitive issue, relations also intensified bilaterally through EU Member States' police and security services (Joffé 2008). Indeed, the EU's cooperation with its southern neighbours, deemed in the 2007-2013 regional programming as a 'common Euro-Mediterranean area of justice, security and migration', aimed at fostering a common understanding of security threats (Wolff 2012; Wichmann 2007). In the wake of the Arab Spring, the EU came up with a 'more for more' doctrine (more aid and assistance in return for more cooperation) to reward faster and deeper democratization processes. However, this mechanism was quickly hijacked to reward cooperation on security

concerns instead (Wolff and Pawlak 2018). Counter-terrorism/security experts were later deployed to EU Delegations in Algeria, Jordan, Libya, Morocco, Tunisia and Lebanon (European Commission 2017a: 21). It should be noted, however, that in terms of security cooperation with the southern neighbours, the EU was in fact knocking on an open door. Calling it ‘externalization in reverse,’ some argue that it was rather the southern neighbours who convinced the EU to abandon its normative aspirations in favour of a focus on security and the status quo (Durac 2018; Joffé 2008; see also Cassarino 2018). The EU’s pursuit of stability and geo-strategic interests, through strengthening the internal security apparatuses of authoritarian regimes to stop the potential spillover of ‘security threats’ into Europe, directly counteracted norms of democracy and human rights (Durac 2018; Roccu and Voltolini 2018; Del Sarto and Steindler 2015; Joffé 2008; Roy 2012; Wolff 2012).

The EU’s cooperation on internal security issues with regions further away, such as West Africa, is of a more recent date. Indeed, EU cooperation with Sub-Saharan Africa had traditionally focused on development and trade. Security cooperation with these countries, which is less structured and institutionalized than with the immediate neighbours, has particularly intensified due to the EU’s growing concern with two issues: migration and terrorism. The literature on EU action against these issues will here be broadly subdivided into studies on EU border externalization, which predominantly focuses on migration management, or EU Foreign Policy, which focuses on the Common Security and Defence Policy (CSDP) missions and SSR more generally (each presented in the subsequent sections 2.3. and 2.4.). As we shall see, although these literatures deal with issues of crime and crime control, they have rarely been studied or conceptualized as such.

2.3. EU BORDER EXTERNALIZATION, MIGRATION MANAGEMENT, AND THE SECURITIZATION OF DEVELOPMENT POLICY IN AFRICA

The literature on EU border externalization has dealt with the multiple ways of outsourcing border control and migration management to Europe’s neighbours and neighbours’ neighbours. This outward projection of control has entailed the emergence of a ‘series of new border practices, border actors and institutional arrangements in these neighbouring countries: from detention centres; to funds for police training; to establishing programs of circular temporary labour migration’ (Casas et al. 2010: 77). Border externalization has been referred to as ‘policing at a distance’ and forms of ‘remote control’ (Bigo and Guild 2005):

The key to the system of EU border control is not in the systematic checking of documents at borders, but in the methods of profiling and of identifying threats coming from foreign countries. The first step to identifying these threats and risks is profiling according to nationality with the imposition of obligatory visas on nationals of high risk countries. The second step is to identify individuals who do not constitute a threat among

individuals of a high risk nationality and to make sure that only these people will get visas. This is the task of national Ministries for Foreign Affairs and diplomatic and consular authorities on the spot (Bigo and Guild 2005: 246).

Border externalization practices often form part of larger EU policy frameworks, such as the above-mentioned European Neighbourhood Policy (ENP) and, since 2005, the Global Approach to Migration and Mobility (GAMM). The latter is a ‘complex and diversified matrix of policy, legal and financial instruments,’ including measures such as ‘readmission agreements, visa facilitation agreements, mobility partnerships and common agendas on migration and mobility, high-level dialogues, consultative processes, joint declarations and several financial frameworks’ (Carrera et al. 2019: 8). Many of the new instruments invented and enacted, such as the EU-Turkey Statement and EU readmission agreements, are very different from ordinary international agreements, escape EU rule of law checks and balances (among them control by the European Parliament) and are at odds with EU general principles (Carrera et al. 2019: 11). Accountability is blurred as the agreement is implemented by the third country, making it unclear who is responsible for potential fundamental rights violations on the ground (Carrera et al. 2019: 12). In general, a trend towards informalization is observed with regard to such EU agreements and arrangements with third countries (Carrera et al. 2019). Casas et al. note that these multiple mechanisms of external migration control have ‘stretched the borderline’ away from the physical border: instead of patrolling the actual borderline, the monitoring and management of the ‘migration route’ are done through collaborating with third countries along the way, something which provides a ‘radica[lly] new spatialization of border control’ (2010: 80).

There is an extensive literature on the various agreements and arrangements that the EU has made with African countries in terms of border externalization and migration control. This literature often focuses more on the discussions between EU member states, the decision-making processes within the EU, the EU’s formal policy frameworks, and the legal basis of the agreements than on the African country (Strange and Martins 2019). Yet contributions that focus on African countries’ agency, have given attention to power asymmetries, forms of conditionality and possibilities for resistance within the negotiations of such agreements (Van Criekinge 2009; Chou and Gibert 2012; El Qadim 2014; Cassarino 2018; Adam and Trauner 2019; Stock et al. 2019; Mouthaan 2019; Adepoju et al 2009). The EU holds out various promises of greater regional integration, development aid, trade facilitation, foreign investment, legal migration schemes and other advantages in exchange for cooperation on migration issues (Gaibazzi et al. 2017: 7). ‘Mobility Partnerships’ have been signed with some African countries, and there are specialized inter-state dialogues such as the Rabat Process focusing on Central and West Africa and the Khartoum Process focusing on East Africa (Adam and Trauner 2019). This has led scholars to discuss what room for agency and resistance that African countries have vis-à-vis the EU (Adam and Trauner 2019): some noting that policy is imposed on

them in an asymmetrical top-down relationship (Adepoju et al 2009) yet others arguing that migration has increased the bargaining power of countries labelled as ‘origin’ or ‘transit’ countries vis-à-vis the EU (Van Criekinge 2009) – even calling it ‘reversed conditionality’ (Cassarino 2018). Notably, African countries have cooperated on many aspects of EU migration policies but have often resisted cooperation on the issue of forced readmissions of their (and other countries’) nationals as this would make the government unpopular at home (Adam and Trauner 2019). Some scholars have also seen such agreements and arrangements in a (post)colonial perspective (see e.g. Gaibazzi et al. 2017; El Qadim 2014; Brambilla 2014; Pradella and Rad 2017; Langan 2018).

Particularly relevant to this dissertation are the contributions that deal not only with migration control but that explicitly interrogate the *illegalization* and *securitization* of migration and mobility in Africa-EU relations. Several authors have focused on the various forms of EU security arrangements and practices, such as, for instance, Frontex deployments off the coast of Senegal (Carrera 2007; Carling and Hernández-Carretero 2011; Andersson 2014), Libya (Brambilla 2014) or North and West Africa more broadly (Casas-Cortes et al. 2016). It has been observed that humanitarian reason is used to frame and market EU sea operations as the saving of migrants’ lives, yet in reality, these search and rescue operations, as well as broader policy frameworks such as the Rabat and Khartoum Processes, are ‘preemptive measures to deter or prevent their citizens from travelling (illegally) to Europe, and/or other nationals from doing so by transiting through their countries’ (Gaibazzi et al. 2017: 8). Ruben Andersson (2014) explored this multiplication of actors and practices of EU-induced migration securitization in Africa ethnographically, including Spanish internal security actors, Frontex, defence contractors, aid workers and even the activists and academics protesting against them, calling it an ‘illegality industry’ whose business it is to border Europe. Philippe Frowd took a slightly different approach in his excellent book *Security at the Borders: Transnational Practices and Technologies in West Africa* (2018), by exploring the ‘assemblages’ of border security-building and borderwork in Senegal and Mauritania that include not only humans but also socio-technological actants such as ‘boats, satellites, concepts, tokens, idioms, and more in everyday border control practices such as knowledge transmission’ (2018: 95). Still, while almost all these contributions focus on migration management or securitization and security, few have explored the EU’s transfer of formal penal legislation to sub-Saharan countries, such as Julien Brachet (2018) who has detailed how Niger adopted a penal code criminalizing migrant smuggling due to EU pressure.

Rising objectives of migration and border control have also led to a gradual securitization of EU development policy in Africa (Gibert 2009; Keukeleire and Raube 2013). The linking of migration and development aid started already in 2003 when a migration paragraph including an obligation of readmission was included in the European Commission’s Cotonou Agreement with the African, Caribbean and Pacific (ACP) countries (Adepoju et al. 2009: 61). In fact, in the negotiations the ACP

countries fought fiercely against the inclusion of a component within the Cotonou Agreement that obliged them to take back their nationals, but the EU ‘applied pure power politics’ to push it through (Adepoju et al. 2009: 65). Further accelerating the trend towards securitization of development policy was the 2015 Valletta Summit and launch of the EU Trust Fund for Africa (EUTF), which has re-directed development funds towards the purposes of security and migration control (Akkerman 2018; CONCORD 2018): resulting in a ‘security-migration-development nexus’ in the Sahel region (Venturi 2017; Raineri and Rossi 2017). For instance, development aid is no longer distributed based on traditional needs assessments but rather on the identification of places seen as origin, transit and destination of irregular migrants (CONCORD 2018: 10).



Image 2. Pirogues (wooden fishing vessels) in Senegal, similar to those that have been used to transport migrants to the Canary Islands (see e.g. Carling and Hernández-Carretero 2012).

The criminalization and securitization of migration also have a range of different *consequences* for the migrants themselves, African communities and societies – as well as for crime and crime control in Africa. Several studies have focused on the lived experiences of migrants in the meeting with the new topology of EurAfrican borders, their strategies of circumvention, and practices of resistance ‘from below’ (e.g. Andersson 2014; Carling and Hernández-Carretero 2011; Richter 2019). One strategy of circumventing the mushrooming of borders and obstacles along the migratory routes is the increasing reliance on facilitators, which has also been

progressively criminalized in Africa due to EU pressure. Yet researchers have not tended to focus on the processes of criminalization and control but rather on the practices and routes of ‘smugglers’. For instance, Carling and Hernandez-Carretero (2011) argue that the rise in migration from Senegal to the Canary Islands in the mid-2000s was in part a direct consequence of European trawlers having emptied Senegalese coastal waters of fish, something that deprived the many fishing communities of their livelihoods. In order to find an alternative source of income, fishermen would either migrate themselves or use their fishing vessels and navigation skills as facilitators.

In the Sahel region, much focus has been on the facilitation of migration through Niger, which was criminalized in 2015 and effectively enforced after pressure from the EU (see Article 2 of this thesis). Researchers, as well as journalists, have documented the negative consequences of Nigerien crackdown on migrant smuggling. First, travel became much more dangerous for the migrants themselves, as smugglers would travel unknown routes to circumvent security controls – sometimes abandoning migrants in the desert to die out of fear of getting caught (Molenaar et al. 2017). Moreover, idle young men with guns, among them ex-combatants, have now reportedly taken to armed banditry to meet their immediate economic needs (Molenaar et al. 2017: 29). Various layers of ethnic tensions have also been aggravated. Some have even claimed that the frustrating situation has the potential to escalate into a new Touareg rebellion (Brachet 2018), or to provide a recruitment base for Islamist insurgent groups which are present in the region (Molenaar et al. 2017; Raineri 2018). Still, the consequences of the EU’s border externalization policies are probably most grave in Libya, where the ‘internal security actors’ that have received money from the EU and European countries to stop migrants have been linked to the running of detention centres for migrants famous for their human rights violations such as imprisonment, rape, mistreatment, torture and murder (see e.g. Brambilla 2014; Pradella and Rad 2017; Tinti and Reitano 2016). Still, it should be noted that none of these studies has focused on how the EU’s assistance has transformed the crime control of West African countries (but see Frowd 2018 and Andresson 2014 for relevant accounts) – something this dissertation seeks to remedy.

To sum up, the extensive and rapidly burgeoning literature on EU border externalization to Africa has shed important light on EU security policy and practices, the processes of illegalizing mobility through Africa and the negative consequences that this has had for migrants as well as for local communities in Africa. However, with one exception (Brachet 2018) this literature has not focused on the processes of transfer of penal legislation to criminalize migration. Moreover, this literature has had a focus either on *migration management* or on *security policy and practices*, not on what border externalization means in terms of criminalization and crime control. In fact, the studies of EU border externalization, and border studies at large, are characterized by what I would call a ‘migration bias’: the border is almost exclusively

understood and conceptualized with regard to migration.¹² Surprisingly, this is also the case for the emerging field of ‘border criminology’, which has explored ‘the growing convergence between criminal justice and immigration control’¹³ (Bosworth, 2017a: 373). While recognizing that migration management is an important objective for European border externalization, it is not the only one. This dissertation goes beyond the ‘migration bias’ by taking a view that is primarily grounded in a criminological focus on what bordering means in terms of (also non-migration related) crime and crime control – i.e., border externalization as a ‘technology of crime control’. Indeed, the official objectives of border management are much broader than migration control, something that the literature on EU security sector reform and assistance to third countries’ Integrated Border Management (IBM) has been more attentive to.

2.4. EU COMMON SECURITY AND DEFENCE POLICY (CSDP) AND SECURITY SECTOR REFORM (SSR)

The JHA area of EU policy, but also the European Commission’s development and migration policies, have been topics rather separate from the EU’s inter-governmental Common Foreign and Security Policy (CFSP). The study of CFSP and CSDP has been dominated by a focus on the Member States’ power politics, decision-making in the Council, the turf wars between the Council and the Commission, and the potential for a defence and military Union. Still, one niche of this literature is very relevant for understanding the EU’s export of crime control models to the Global South, namely that on civilian Common Security and Defence Policy (CSDP) missions and security sector reform (SSR). This niche is, as we will see, connected to the broader SSR literature mainly stemming from security studies, where there has been a recent interest in the topic of ‘localization’ of security assistance.

CSDP missions are tools of EU peacebuilding and crisis management, and have included missions on police reform, rule of law, assistance, planning, monitoring and border management. The birth of EU action in Foreign and Security Policy was neatly connected with the idea that good governance, rule of law, police and the criminal justice and the internal security sectors are key for peacebuilding and post-conflict reconstruction (Ioannides and Collantes-Celador 2011). As such, civilian CSDP

¹² In terms of theory, the now widely used conceptualization of border as rhizomatic, dispersed and stretched across space tends to take the migrant as its point of departure for theorizing border.

¹³ I would argue that the term ‘migration criminology’, or ‘criminology of mobility’ which has been used interchangeably, is better suited to this strand of research than ‘border criminology’ as it deals more with migration than with borders. It is almost impossible to find a contribution to border criminology that does not deal primarily with migration management (but for a bit more nuanced contributions see Milivojevic 2019 and Wonders 2006).

missions have aimed to reform criminal justice and security institutions (police, gendarmerie, border and customs, criminal courts and penitentiary) as well as regular and irregular security forces. They also co-locate experts inside beneficiaries' Ministries of Justice and Interior to mentor and advise civil servants (Merlingen and Ostrauskaite 2007).

The EU deployed CSDP missions (then called ESDP missions) for the first time in 2003 in Bosnia and Herzegovina (EUPM) and Macedonia (EUPOL Proxima and EUPAT) both of which were police reform missions. Yet scholars observed that despite the rhetorical linking of SSR with human rights, development and crisis management, it was in fact the fight against organized crime that came to take the centre stage in the ESDP missions, thus relegating good governance and democratic principles to a secondary place (Ioannides and Collantes-Celador 2011). EU member states' internal security interests dominated the missions, leading to their securitization. The missions focused on 'hard policing' and the building of short-term crime-fighting capabilities such as intelligence gathering and information sharing, training, threat analysis, cooperation between JHA (Europol) and CSDP on strategic and intelligence levels, and the deployment of border guards and organised crime experts to block smuggling routes into Europe (Ioannides and Collantes-Celador 2011: 424). Thus, the missions gave less priority to 'soft' policing, the fostering of inter-ethnic relations, respect for human rights and embeddedness in good governance (Ioannides and Collantes-Celador 2011). In practice, then, prioritizing a centralized, effective, intelligence-led, organized crime-fighting police hampered the bottom-up, conflict-sensitive building of a multi-ethnic and democratic police force, especially in the case of Bosnia (Merlingen and Ostrauskaite 2005).

The EU has also deployed several CSDP missions in Africa with explicit crime control objectives: police training missions were deployed as far back as 2005 in the Democratic Republic of Congo, as well as a police and justice reform mission in Guinea-Bissau in 2008 which among other emphasized building counter-narcotics capabilities within the police force (see Strazzari and Cottichia 2012). Also in 2008, a naval CSDP mission, EUNAVFOR Atalanta, was launched off the Somali coast to fight pirates (Gilmer 2017). Yet the mission that has generated the most attention and academic scrutiny has probably been EUNAVFOR MED Sophia (2015-2020), a naval mission aimed to 'disrupt the business model of human smuggling and trafficking networks,' mainly through identifying, capturing and disposing of vessels, as well as through training the Libyan coastguard (Losci, Raineri and Strazzari 2018; Losci and Russo 2020). Its mandate was also expanded in 2016 to implement the UN arms embargo on Libya, and in 2017 to fight oil smuggling. The simultaneous mission EUBAM Libya (since 2013) has been mandated with border security-building through SSR and Integrated Border Management (IBM) planning and capacity-building of Libyan police and border guards. These missions highlight the tendency towards intertwining of EU crisis response instruments and internal security objectives. In comparison, the civilian CSDP missions that are at the centre of this dissertation,

EUCAP Sahel Niger (since 2012) and EUCAP Sahel Mali (since 2015), with objectives to fight transnational organized crime and terrorism, have generated a relatively small literature (see e.g. Bøås et al. 2018; Raineri and Baldaro 2019; Molenaar et al. 2017; Raineri and Strazzari 2019; Cold-Ravnkilde and Nissen *forthcoming*)

While the controversial Sophia mission mobilized a truly interdisciplinary academic community, most studies on EU SSR and SSR more generally have remained limited in scope. Typically aims of studies have been to ‘evaluate the successes and failures of SSR by alignment with externally defined mission objectives and interests; and they continue to use the classical Weberian model of statehood as an exclusive template to measure the success and failure of external support’ (Schröder et al. 2014a: 134; Abrahamsen 2016). As such, the SSR literature has tended to downplay the ‘highly political and deeply contested processes’ of external intervention into the security sectors of recipient states – tensions and contradictions that tend to characterize the international community’s liberal peacebuilding more broadly (Schröder et al. 2014a: 133). In general ‘fine-grained, micro-focused empirical data, describing security from the bottom-up, has been largely absent from studies of SSR’ (Schröder et al. 2014a: 141). Particularly relevant for this dissertation, however, is a strand of SSR research that has focused on the meeting point between external intervention and promotion of Weberian security models on the one hand, and the local forms of security governance, agency and political systems on the other. Such studies of the complexity of ‘localization’ of security assistance have explored the rational bargaining situations between external and domestic actors, but also resistance and contestation (Schröder et al. 2014a: 139-40; Cassarino 2017; Cold-Ravnkilde and Nissen, *forthcoming*). The concept of ‘hybridity’ has often been utilised to make sense of local security governance beyond Weberian sovereignty – where the state is merely one player and security provider among competing non-state political actors (Schröder 2014b; Tholens 2017; Raineri 2016; Raineri and Strazzari 2019).

However, while it has been observed that ‘hybrid orders’ (Boege et al. 2008) and ‘hybrid sovereignty’ (Tholens 2017) may also include extra-legal and criminal organizations (Raineri and Strazzari 2019), few studies have explored the role of crime and illicit activities in the context of post-conflict SSR (but see Schröder and Friesendorf 2009; Strazzari and Cottichia 2012). Most notably, the literature on EU SSR has almost exclusively understood this field through the prism of ‘security’ – while a (criminological) perspective on crime, criminal justice and crime control has been less present (but see Merlingen and Ostrauskaite 2005).

2.5. TRANSNATIONAL (ORGANIZED) CRIME, CONFLICT AND EXTRA-LEGAL GOVERNANCE IN THE SAHEL

The last body of literature of direct relevance to this dissertation is that related to transnational (organized) crime in so-called ‘fragile’ and conflict-affected states, as most of the crime control models exported by the EU and other Western actors to the Global South are targeted to deal with this to some extent (at least in their stated objectives).¹⁴ Indeed, African studies and Peace and Conflict scholarship have long observed that (post)conflict settings are typically characterized by ‘criminalized economies’: warlords, insurgents, rebels and terrorist groups often draw revenues from criminal activities and collude with criminal groups (Cornell 2007; Reno 2011). This is thought to hamper peacemaking, state-building and development (Vorrath 2014; Kemp et al. 2013; Cockayne and Lupel 2011).

Transnational organized crime (TOC) has been conceptualized in the Peace & Conflict literature as a ‘spoiler’ for peace (Kemp et al. 2013), an ‘external stressor’ (Cockayne and Lupel 2011), or a ‘shadow state’ (Reno 2011), thriving in and even capturing states that are ‘fragile’ or ‘failed’ (see Strazzari 2014 for a critique). Cockayne and Lupel (2011) developed a typology of transnational criminal groups spanning ‘predatory,’ ‘parasitic’ and ‘symbiotic’, depending on their relationship to legal authorities. ‘Predatory’ groups prey on local authorities’ resources, ‘parasitic’ groups also extract rents from local populations through protection rackets, while ‘symbiotic’ groups rather coexist with existing authority structures, including overlaps of membership, clandestine arrangements of reciprocity, collusion and joint venture arrangements (Cockayne and Lupel 2011: 7f). Responses to TOC, they suggest, should be moulded according to these ideal types (Cockayne and Lupel 2011). International policy-makers and especially transnational law enforcement communities have been particularly receptive to this kind of research and policy recommendations: state capture by organized crime in Africa has been reiterated in alarmist calls for counter-crime action by the international community (see e.g. UNODC 2013; Aning and Pokoo 2014; Shaw and Reitano 2013). Such calls have

¹⁴ The literature on transnational organized crime in Africa has partly grown out of area studies (African studies), anthropology, peace and conflict studies, development studies, (critical) security studies and criminology. Moreover, much of the detailed empirical knowledge has been generated by NGOs and various types of commissioned consultancy reports that to a varying extent have vested interests, especially by the Global Initiative against Transnational Organized Crime (GI-TOC) and the related South Africa-based Institute for Security Studies (ISS) which have also won several large EU grants (‘ENACT’, funded under EUTF) to create evidence to support EU policy in Africa; International Alert, and International Crisis Group. There are also important contributions made by (collectives of) investigative journalists. Lastly, there are also reports by international bodies such as the UNODC and Frontex, which may provide some general knowledge but have a limited scientific value due to their strongly normative agendas as well as reliance on undisclosed sources.

translated into growing awareness of TOC at the international level, to the extent that ‘combat[ing] all forms of organized crime’ has been explicitly included in the UN Sustainable Development Goal (SDG) 16, which is ‘fundamentally concerned with reducing the threat that crime and violence pose to sustainable development and enhancing the delivery of justice and security throughout the Global South’ (see Blaustein et al. 2018, 2020). Also, the UN Security Council has reiterated the need to combat TOC in order to promote peace, security and prosperity (see e.g. UN Security Council 2010).

More critical scholars have questioned the usefulness and adequacy of such alarmist ideal-type ‘TOC-threats’ and rather voiced a need for exploring the micro-politics and phenomenology of extra-legal economies on their empirical terms – stressing that ‘TOC’ is socially, politically and spatially embedded (Strazzari 2014) and endemic to the current state of globality (Vigh 2019). Some have questioned whether there is at all such a thing as ‘organized crime’ in Africa (Shaw and Ellis 2015). Anthropologists have observed that transport of all kinds of goods and humans through the Sahara desert is a historically ingrained way of social life (Scheele 2012). In the desert economy the boundaries between what is legal and illegal, legitimate and illegitimate, are blurred (Brachet 2018: 20; Raineri 2016; Scheele 2012; McDougall and Scheele 2012). Cross-border trade in licit and illicit goods is interwoven in a complex political economy which involves non-state and state actors, but mostly actors somewhere in-between (Bøås 2015): for instance, the same person can simultaneously have a formal position within the state apparatus, be a regional ‘big man’, rebel group member, and drug trafficker. Rather than being separate categories of activities and actors, there is a certain continuity ‘between different contours of criminality, coping, and resistance and the subsequent logic behind these activities’ (Bøås 2015: 300).

Two important developments have affected the extra-legal economy in the Sahel: first, the emergence of hard drugs (notably cocaine) as a commodity to be trafficked and, second, post-Gaddafi repercussions. Cross-border smuggling of all kinds of goods (staples, foodstuffs, fuel, contraband cigarettes etc.) has been the backbone of the economy in the arid desert of northern Mali, made profitable by the subsidization of some of these goods (food and fuel) by Algeria (Scheele 2012; Raineri 2016; Brachet 2018). In fact, without food and other goods smuggled illegally from Algeria, northern Mali would starve (Scheele 2012). The old customary tradition of *droits de passage*, which can be translated to ‘rights of passage,’ regulated and still regulates the uses of land and its resources in northern Mali and Niger where populations were partly nomadic, usually including a tribute paid to the local population for protection on ‘their’ territory (see Raineri, 2016: 136). However, the trafficking of drugs, especially cocaine since the mid-2000s, substantially altered the revenues and the risks of the smuggling economy, leading to the incremental use of armed protection that has (para)militarized the trans-Saharan extra-legal trade (Raineri 2016; International Crisis Group 2018; Micallef et al. 2019). This has resulted in a growth in protection rackets, organized banditry (what my interviewees would refer to as ‘*le grand*

banditisme’) and violence, as well as the business of securing or intercepting drug convoys (Micallef et al. 2019). The drugs that pass through the Sahel are mainly cannabis resin trafficked from Morocco on its way eastwards, cocaine destined for Europe that enters West Africa through its seaports¹⁵ or sometimes by plane from Latin America to Mali,¹⁶ and more recently, yet travelling different routes than the former two, the trafficking of tramadol (Micallef et al. 2019). The amount of money generated by trafficking drugs, cocaine in particular, through the Sahara (as opposed to the ‘traditional’ contraband such as in fuel and foodstuffs) has reshaped societal structures and political life in northern Mali and Niger (Raineri 2016; International Crisis Group 2018). The sudden influx of cash has weakened traditional hierarchical structures and traditional power configurations of Touareg societies as drug traffickers with money are attaining higher positions, thus diminishing the authority of village elders and religious leaders (Bøås 2015; International Crisis Group 2018). It is important to note that the trafficking in drugs is often regarded a legitimate profession and a source of prestige, it offers a major source of economic opportunity in a region with high unemployment, and constitutes one of the only possibilities for upward social mobility (Reitano and Shaw 2014; International Crisis Group, 2018; Micallef et al. 2019; Raineri 2016). The collusion of government officials and drug traffickers, especially during the time of Mali’s former president Amadou Toumani Touré (2002-2012) who allegedly rewarded loyalty by providing access to criminal markets, reinforced the role of criminals ‘from outcasts to role models’ (Micallef et al. 2019: 13).

¹⁵ Three main hubs have been identified for receipt and redistribution of cocaine destined for Europe: the *northern hub*, transiting from Guinea-Bissau, Guinea, The Gambia, and Senegal; the *southern hub*, centered on Nigeria, Benin, Togo, and Ghana; and the *eastern hub*, based in Mali and parts of Mauritania (UNODC 2013). More recent studies (International Crisis Group 2018) as well as my own research has observed that Mauritania is an important entry point for cocaine, which is then distributed through the Polisario Front in Western Sahara before making its way through to northern Mali and Niger. A recent report states that the trafficking of drugs (both cannabis resin and cocaine) through the region has declined recently (but not tramadol, which is rising), mainly due to two reasons: firstly, the rise in instability and conflict which is bad for business, and second, law enforcement activities and military presence driven by the US, France and the EU (Micallef et al. 2019).

¹⁶ Famously known as the ‘Air Cocaine incident’, in 2009 a burnt-out plane allegedly transporting 10 tons of cocaine from Latin America was found in the desert north of Gao in Mali, bringing attention to this new cocaine route. See e.g. <https://foreignpolicy.com/2013/03/15/malis-bad-trip/> (Accessed 22.6.2020).



Image 3. Gaddafi was an important regional hegemon with substantial influence in Niger, Mali and other sub-Saharan countries. This photo shows that his legacy is still alive and well, depicting Colonel Gaddafi painted on the back of a bus in Bamako.

The fall of Gaddafi in 2011, instigated by NATO's bombing of Libya, significantly altered the security landscape in the Sahara-Sahel and was among the causes of the 2012 Touareg rebellion in northern Mali (Bøås and Utas 2013). Touareg living in Libya, some of whom had served in Gaddafi's army, returned to their old homeland of *Azawad*¹⁷ in northern Mali and Niger with armoured vehicles and heavy weaponry. The Touareg have a long history of rebelling against the (Bambara-dominated) central government in Bamako and the (now Hausa-dominated) government in Niamey, notably in 1962-64, 1990-95 and 2007-09. However, as opposed to earlier rebellions where combatants were poorly armed and easily overturned, the 2012 rebels were

¹⁷ Azawad is the Tamasheq name of a territory that stretches across northern Mali and Niger and southern Algeria, at which the Touareg rebellion of 2012 aimed for to become an autonomous region – at least its Malian parts. With regard to the Touareg originally being a nomadic people without a strict European-type conception of territoriality, it is curious how their movements have come to focus on territorial separation and autonomy (see Strazzari 2015 and Raineri 2016 for interesting analyses).

armed to the teeth (Micallef et al. 2019). Indeed, Gaddafi's large weapons arsenals were looted and distributed across the whole MENA and Sub-Saharan Africa and have played a key role in a number of conflicts and the weaponization of the Sahel region (Micallef et al. 2019). These weapons have also armed the complex landscape of Islamist insurgencies that have emerged in the Sahel, such as Al Qaeda in the Maghreb (AQIM), Ansar Eddine and the Movement for Oneness and Jihad in West Africa (MUJAO) (see Bøås 2015) and later groups such as the Group for the Support of Islam and Muslims (GSIM) and the Macina Liberation Front. Some of these groups have also gathered revenues by kidnap for ransom of Westerners, something that, in addition to the Touareg rebellions, contributed to a decline of tourism to this region. Crucially, the civil war in Libya also opened up a route for migrants travelling to Europe that was previously tightly controlled by Gaddafi (see Pradella and Rad 2017; Brachet 2018).

It is beyond the scope of this literature review to go into the details of the routes of various kinds of illicit goods or illegalized forms of mobility, nor the constantly changing groups with shifting allegiances that control them (for excellent accounts see Raineri 2016; International Crisis Group 2018; Reitano and Tinti 2016; Micallef et al. 2019; Bøås 2015; Sandor 2017). However, three aspects will be mentioned here because they directly disprove and problematize the European policy discourse that has legitimized intervention and export of crime control models. The European and international policy narrative has it that all these security threats are inter-connected, travel the same routes towards Europe, and are controlled by organized crime syndicates preying upon ungoverned spaces and porous borders (see e.g. Council 2015; European Commission 2017b). First, European and international policy discourse frequently invoke the Sahel as a site of 'crime-terror nexuses' (Makarenko 2004; Kfir 2018), where one voiced (yet often not practised) strategy to fight terrorist groups should be to cut them off from the drug trafficking that allegedly funds them (Vorrath and Zoppei 2018). However, some empirically-based literature states that there is little evidence of links between Islamist insurgent groups and drug trafficking in northern and central Mali. Islamist groups and key figures (such as AQIM and Mokhtar Belmokhtar, or Ansar Eddine and later GSIM and Iyad ag Ghali) have sometimes distanced themselves from drug traffickers or simply not engaged with them while others have had closer links, such as MUJAO with the Tilemsi Arabs (International Crisis Groups 2018: 11). Yet most often the relationship seems to be one of mutual tolerance (coexistence in the same geographical places) knowing that conflict is not beneficial but cooperation may sometimes be so (Ibid.). On the contrary, the literature suggests that repression of Islamist groups and sometimes of traffickers by (especially French) military presence has in fact led these two categories of actors closer together rather than the opposite (International Crisis Groups 2018; Micallef et al. 2019). On the other hand, there is lots of evidence that links the signatories of the Algiers Peace Agreement with the Malian government, the Coordination of Azawad Movements (CMA) and the Plateforme, with drug trafficking (International Crisis Groups 2018; Micallef et al. 2019). This, I would argue, complicates the compatibility

of (externally driven) anti-drugs operations and the peace process. Second, there is no evidence that it is the same groups that traffic drugs and facilitate the transport of migrants,¹⁸ nor that the latter is ran by ‘organized crime syndicates’, as the European Commission assumes (e.g. European Commission 2016). On the contrary, the facilitation and transport of migrants (especially through Niger) has typically been done by individual entrepreneurs that cooperate in rather loose and ad-hoc networks (Raineri 2018; Lucht 2013; see Richter 2019 on similar findings in the Maghreb), and it was the EU-instigated criminalization of and crackdown on ‘migrant smugglers’ that forced them to become more organized, clandestine and harmful (Brachet 2018). In other words, the two latter points suggest that it is the *control responses* of international actors that aggravate or even produce crime through negative ‘unintended’ consequences, which are often based on a misguided image of the threat of transnational organized crime. Third, scholars have strongly contested the policy concept of the Sahel as an ‘ungoverned space’ simply because the central governments (especially of Mali) do not control the state’s entire territory, arguing rather for understanding the complexity of ‘hybrid security orders’ (more on this in theory section 3.4) (Raineri 2016; Bøås 2015).

To conclude, there is a rich literature on the (constantly changing) micro-dynamics of transnational crime and conflict in the Sahel, which suggests that there is no unequivocally (or at all any) positive effect of externally-driven crime control interventions. However, it is important to note that these studies have had a focus on the phenomenology of illicit activities and their intertwinement with politics that have led to a ‘criminalization of the state in Africa’ (c.f. Bayart et al. 1999), and there has been very little attention to the *crime control responses* in and by themselves (especially from a criminological, crime control perspective) nor the systems of criminal and social control that are subject to external influences. This dissertation aims to bridge these gaps in the literature by providing a criminological exploration of how (predominantly European) crime control models are exported to and potentially transformed and localized in the Sahel region. As such, while criminologically-oriented anthropological research has employed ‘mobile methodologies’ to ‘follow the flows’ of illegalized activities on their way northwards to Europe (Vigh and Sausdal 2019; Vigh 2019; Richter 2019), this thesis rather focuses on the opposite direction of mobility, namely the flows of crime control policies, models and knowledges from Europe to Africa.

¹⁸ Except perhaps sometimes Nigerian groups and tramadol trafficked through Niger, but this is a different route than for cocaine and cannabis resin. Personal conversation with journalist from *Jeune Afrique*, Niamey, December 2017.

CHAPTER 3. THEORETICAL PERSPECTIVES ON POWER IN NORTH-SOUTH EXPORT OF CRIME CONTROL

This chapter accounts for the various theoretical perspectives that are particularly relevant for understanding the power implications of the EU's export of crime control models to the Sahel, as well as North-South travel of crime control models more broadly. It starts, in section 3.1., by reviewing theories on crime policy transfer, norm diffusion and security governance, as this is the theoretical paradigm typically employed (especially in IR but also in criminology) to understand transfer of (EU) crime control policies. The chapter then turns to neo-Marxist, critical theory and post-colonial perspectives in section 3.2., and Foucauldian perspectives in section 3.3., which it argues should be combined in order to shed light on different aspects of how power operates. Still, to make better sense of the meeting point between European crime control models and African social realities, section 3.4. consults theories on African statehood, political power and social control. Section 3.5. outlines how the theories are used in this thesis.

3.1. CRIME POLICY TRANSFER, NORM DIFFUSION AND EU EXTERNAL (SECURITY) GOVERNANCE: TRANSFER AGENTS OR THE POWER OF FUNCTIONALIST EXTENSION

One of the first comprehensive criminological efforts to theorize the travelling of crime definitions, policies and models was done by Trevor Jones and Tim Newburn, mainly in their book *Policy Transfer and Criminal Justice* (2007), preceded by an edited collection by Newburn and Sparks (2004). In the book, they argued that criminological studies of cross-country crime policy convergence tended to generally overlook the processes whereby convergence happened. There was a gap in research on crime policy, they claimed, as criminologists merely looked at the content and impact of policy but mostly ignored policy-making and travelling processes while political scientists had generally given scant attention to the topic of crime policy (Jones and Newburn 2007: 20). Therefore, they called for more focus on political agency and entrepreneurship in the explaining why and how crime policy travels, and they propagated importing policy transfer theory from political science to criminology, mainly the theory of Dolowitz and Marsh (see e.g. 2000). Dolowitz and Marsh defined policy transfer and diffusion as 'the process by which knowledge about policies, administrative arrangements, institutions and ideas in one political system (past or present) is used in the development of policies, administrative arrangements,

institutions and ideas in another political system' (2000: 5). Furthermore, they developed a typology of policy transfer mechanisms on a continuum from voluntary (emulation, socialization) to coercive (conditionality, direct imposition) forms (Dolowitz and Marsh 2000: 13). Policy transfer and diffusion theory thus provides an analytical framework to disentangle the role of '*transfer agents*' (be it states, organizations, epistemic communities or persons), *transfer processes*, or/and the *implementation* of the 'travelling' policy in a new context (Evans 2009). Yet only a handful of criminologists have since done research along the proposed lines (Karstedt 2007; Walklate and Fitz-Gibbon 2018; Newburn et al. 2018; Blaustein 2015). Notably, two aspects which are at the centre of this dissertation were glaringly missing from Jones and Newburn's accounts. First, the 'international' as a site of policy diffusion was not mentioned – despite Dolowitz and Marsh (2000: 11) themselves explicitly stating that international organizations (IOs) are crucial norm entrepreneurs in (also coercive forms of) global policy diffusion. Thus, Jones and Newburn left out (contrary to Dolowitz and Marsh) the whole topic of the impact of European integration on criminal law harmonization and crime policy diffusion in EU Member States and beyond. Second, and symptomatic to the discipline of criminology, both Jones and Newburn (2007) and Newburn et al. (2018) focused on the transfer of crime policy from the US to the UK – thus leaving out the north-south dimension of directions for policy mobilities. However, the novel concern in criminology with travelling crime policy seems to rather be connected with the discipline's rather recent interest in globalization, transnational crime control and north-south relations (see particularly Méndez Beck and Jaffe 2018; Aas 2012a). Anglo-American criminology, it has been argued, has overlooked the dense crime policy exchange between non-English speaking contexts, where crime policy has been transmitted along the lines of linguistic and cultural affinity (Melossi et al. 2011: 6) and postcolonial ties (Agozino 2005). The latter contributions will recur in the following sub-sections on critical realist and poststructuralist approaches. However, before proceeding to these, the issue of policy transfer and diffusion deserves some more attention as it has been among the most central theoretical paradigms for understanding policy mobilities within IR.

Having its roots in institutionalist public policy theory, policy transfer theory has been widely used in IR, both generally to understand transnationalization of policy-making and specifically to conceptualize the EU's transfer of security policy and models to neighbouring countries and regions. Following Dolowitz and Marsh, policy transfer and diffusion has been theorized as an 'intentional attempt to establish a specific set of norms and ideas, organizational structures or technical capacities in a new setting' (Schröder et al. 2013: 384). The EU's transfer of its JHA *acquis* and policies in the Enlargement process was predominantly a coercive top-down process (Karstedt 2002; Grabbe 2003). Encompassing both 'hard transfer' (rules, procedures, and policy paradigms) and 'soft transfer' (styles, 'ways of doing things', shared beliefs and norms), Grabbe (2003) identified five mechanisms whereby the EU has sought to induce changes in the domestic policy of Enlargement countries:

- 1) models (provision of legislative and institutional templates);
- 2) money (aid and technical assistance);
- 3) benchmarking and monitoring (evaluation of third countries' performance on EU priorities);
- 4) advice and twinning (secondment of civil servants from EU Member States in Ministries and public administration);
- 5) gate-keeping (access for candidates to negotiations and further stages in the accession process).

Theorists of EU external governance have built on policy transfer and norm diffusion theories to explore to what extent the EU effectively manages to integrate third countries into common systems of rule (Lavenex and Schimmelfennig 2009). These scholars have criticized 'traditional' foreign policy conceptualizations of the EU as a unitary actor and argued for rather analysing EU external governance from an institutionalist perspective as a conglomerate of sectoral policies and independent policy fields that occupy functional spaces (Lavenex and Schimmelfennig 2009; Lavenex 2014). Thus, they shifted the unit of analysis from a unified state actor model to systems of rule, which may be extended to third countries even unintentionally through different forms of power. Diffusion of EU norms, rules and institutions thus happens through hierarchical governance (with a focus on supranational legal competencies), networked governance (between equal, sovereign partners) or market (competition) (Lavenex and Schimmelfennig 2009). 'Governance by externalization' is then explored through analysing *rule selection* (to what extent do EU rules constitute the normative point of reference of EU-third country relations), *rule adoption* (to what extent are EU rules are transposed in third country legislation), and *rule application* (to what extent are EU rules are acted upon in political and administrative practice) (Lavenex and Schimmelfennig 2009: 800-801). Noticing that 'technocratic outreach' in itself promotes rules export (Lavenex 2014: 896), external governance studies have also explored what types of governance that are most effective in transferring EU rules (Lavenex and Schimmelfennig 2009). With regard to power, these studies have suggested that the EU has 'structural power' through its common market (Lavenex 2014), but also that dominative forms of power (through political conditionality) are more effective in transferring EU rules to third countries than 'networked governance' which works more through learning and socialization (Lavenex and Schimmelfennig 2009). EU Justice and Home Affairs and transnational crime governance has been seen predominantly as 'networked' forms of external governance happening through 'transversal networks' of law enforcement and judicial professionals rather than high-level officials and diplomats (Lavenex and Wichmann 2009; Friesendorf 2007).

Extending Dolowitz and Marsh' policy transfer theory also to externally-driven security sector reform (SSR) in post-conflict societies, Schröder et al. explored the typology of policy transfer mechanisms on a scale from 'external imposition' of crime policy and models to 'locally-owned' reform (2013: 384) spanning direct coercive imposition (by negative or positive incentives); socialization; persuasion, or domestic demand (2013: 385). They find empirical evidence across cases to support a tendency whereby SSR is most coercive and imposed at the beginning of external engagement, with domestic actors gradually more 'owning' the security models over time, and lastly even demanding security assistance themselves. Adding to the theory, this means that a case of SSR can in fact embody several different mechanisms of policy transfer over time or even simultaneously when different external actors and security models are involved. Following a complementary typology, security governance models can be adopted, adapted, resisted, or rejected by local recipients of security assistance (Schröder et al. 2014b).

Interestingly, and specifically relevant for this thesis, IR scholars have problematized policy transfer and diffusion to 'areas of limited statehood': claiming that in such places the EU has less 'transformative power' (Börzel 2011; Börzel and Risse 2009) and its bargaining power is weaker (Lavenex and Schimmelfennig 2009: 803). Drawing on the case of the Western Balkans, Börzel notices that 'secessionist movements, unsettled borders, ethnic tensions, deficient state capacity and/or strong clientelistic networks have severely mitigated the transformative power of the EU' (2011: 6). Conditionality seems less effective in such instances (Börzel and Risse 2009:10). This is because these states lack the willingness and (institutional) capacity to go through the comprehensive reform processes that adopting EU law and institutions requires from them (Börzel 2011). As such, the EU's efforts of state-building are undermined by the very conditions of bad governance that make these countries requiring state-building in the first place (ibid).

This thesis involves thinking along the lines of policy transfer and norm diffusion theories. While these theories provide useful tools for meso-level analysis, EU external governance theory also brings important attention to EU external action not always being unified, deliberate and intentional but may also be the effect of system-internal, institutional dynamics. However, this thesis rather focuses on aspects that tend to be less pronounced in policy transfer research, thus departing from it on several accounts. First, it gives more consideration to the *content* of policy and models and *struggles* behind such content. This entails analysing the ways in which certain categories of crime are constructed as shared (or even universal) problems for the EU and third countries, or the fact that certain crime control models are selected for transfer while others are de-selected. Second, it argues for the need to see EU policy transfer also in the light of Europe's colonial history, contemporary (post/neo-colonial) power asymmetries and contestation (see Nikolaïdis 2015 for a critique of 'EUniverasism'), something which neo-Marxist and critical realist theory have brought more attention to (see the following section). Third, as policy transfer theories

were mostly developed based on transfer between northern countries, they tend to not problematize the contested position of the third country political elites (often in post-conflict settings) which adopt, adapt, resist or reject the policies and models on behalf of their country – and whether or not these elites are actually supported by and accountable to their constituencies. Fourth, this thesis has more focus than most policy transfer analyses on the resistance and contestation that travelling crime control policies meet, as well as on the potential (and long-term) negative and adverse effects of an imported policy (Börzel and Risse 2009: 11). These latter aspects are foregrounded by the following theoretical perspectives.

3.2. CRITICAL REALIST, NEO-MARXIST AND (POST)COLONIAL THEORY: HEGEMONY, DEPENDENCY, AND IMPERIALISM

Several scholars have invoked the concept of hegemony when analysing the global diffusion of crime control policies and models (e.g. Andreas and Nadelmann 2006; Karstedt 2002, 2007; Lavenex and Wichmann 2009). While often used without referring to a particular understanding or author, the concept of hegemony is usually associated with Antonio Gramsci, roughly referring to a ‘situation wherein a social group or class is ideologically dominant’ (Femia 1975: 29). This focus on the ideological and ideational aspects of domination, which is an added value with regard to more economic-material neo-Marxist theory, is probably why scholars of transnational crime control have found it to fit so well in conjunction with Howard Becker’s (1997 [1963]) concept of ‘moral entrepreneur’. Andreas and Nadelmann’s (2006) analysis of criminalization and crime control in international relations draws attention to the fact that although global prohibition regimes are purported as universal, they stem from the internationalization of the domestic legal frameworks of hegemonic states. It was the UK that acted as a ‘transnational moral entrepreneur’, pushing through and shaping the international abolition of slavery, and the USA that was the driving force behind the global drug prohibition regime and post-9/11 counter-terrorism (Andreas and Nadelmann 2006; see also Findlay 2008). The EU has also had an active role in shaping transnational criminal law and control structures: The 2000 UN Convention against Transnational Organized Crime (UNTOC) was to some extent modelled after the EU 1998 Joint Action on Organized Crime (Mitsilegas, 2010: 252); similarly, the 2000 UNTOC Protocol on Migrant Smuggling was proposed and drafted by Austria and Italy (Jakobi, 2013). It has been observed that the EU’s JHA cooperation with third countries has been characterized by EU *domination* rather than participatory governance: ‘the EU is contributing to exporting the founding pillars of the global drugs prohibition regime to neighbouring countries hegemonically’ (Lavenex and Wichmann 2009: 95). In short, it is the crime control models of hegemonic powers that travel best, often on a one-way road from industrialised countries (centre) to the Third World (periphery) (Karstedt 2002, 2007; see also Aas 2012b).

Western hegemony is not unique with regards to transnational crime control; indeed, the same goes for most international norms including liberal ‘global regimes’ such as those of trade and human rights as well. The export of some regimes (abolition of slavery, human rights) tends to be viewed as less problematic than others (drug prohibition regime, the war on terror). However, it has been noted that these liberal and illiberal regimes sometimes directly counteract each other, for example in the case of repressive drug laws, exported and propagated by the UN drug control organs, which produce human rights violations as their consequence (Bowling 2011; Stambøl 2014).

International crime control structures thus mirror the *ideologies* and *interests* of northern countries and reproduce overall Western domination. The guise of universality masks the power struggles behind definitions of crime and models of control. Illustrative of this position, Stanley Cohen noted that

‘any social control system can be seen as ideological in two ways. First, its planning and structure are based on certain principles, ideas, beliefs, justifications, philosophies and theories. And second, a quite different sense, these stated justifications conceal the real interests, intentions and motives behind the system’ (1988: 176).

In the case of the international crime control system, Stanley Cohen (1988) and Ellison and Pino (2012) observe that the ideology which has underpinned it is the same that has been central in shaping development policy, namely modernization theory – a remnant of the civilizing mission. This ideology saw crime as negative externalities of rapid societal change, development and modernization, and posited that development in crime control capacities should follow a unilinear trajectory towards the standards of Western nations; towards ‘rational, professional and effective criminal justice systems’ (Cohen 1988). While modernization theory as such lost traction many decades ago, its inherent thinking and ideology are still discernible in more neoliberal (and less state-centric) models of development (Ellison and Pino 2012). Notably, this ‘benign transfer model’ is reflected in the mentalities and work of IOs such as the United Nations (see Cohen 1988 178-9), whose task it is to produce universal best practices in crime control and aid countries with ‘flawed penalties’ towards an alignment to such Western standards (Boivin and O’Connor, 2013). However, such unproblematic views of the expansion of global crime control have been rejected by critical criminologists for being voided of power perspectives (Ellison and Pino 2012). Rather, they argue, the flow of crime control models and criminological knowledges from the global north to the global south are infused with relations of power and global inequality (Aas 2011a). Also the discipline of criminology itself has been criticized for being an auxiliary discipline that supports Western-dominated imperialist structures by reproducing the dominance of western epistemologies and marginalizing knowledge and perspectives from the Global South (Agozino 2003; Carrington et al. 2016; Fonesca 2018). Penal cosmopolitanism is the globalization of specific types of penal theories arising in particular (Northern)

contexts – blurring the distinction between cosmopolitanism and imperialism (Aas 2011a). Criminological postcolonial scholars have tended to view the crime control system as a repressive instrument of colonial rule and Western domination, or alternatively as a remnant of it (Agozino 2003, 2005).

‘All modes of colonization – whether from missionary zeal; military, economic, or political imperatives; or liberal idealism – consciously intended to destroy or manipulate previous systems. And the creation of new offences – take such effects, still present, of slave law in the Caribbean – were intrinsic to colonialism. Legal control was built into the process from the outset, not tagged on afterwards, and law was a chosen mechanism to achieve particular social change’ (Cohen 1988: 183).

Mark Brown (2016) has shown how these European colonial systems of penal control did not in fact get abolished after independence in India; rather some penal codes were retained and even innovated upon by new state leaders, meaning that postcolonies have retained ‘postcolonial penalties’. Also Agozino (2005) has argued that repressive colonial criminal justice systems turned out to be useful tools for new African state leaders that looked to consolidate their rule. Postcolonial systems of social and criminal control in places such as Nigeria has been understood by some as a continuation of ‘penal colonialism’ (Saleh-Hanna 2008). Yet also new forms of penal colonialism has been observed, and European attempts to shape the penal systems of former colonies (bolstered by the objective of migration control) has been seen as instances where the European ‘penal state’ radiates sovereign power well beyond the confines of the nation: seeking to regain control over former colonial territories to alleviate itself of unwanted migrants (Bosworth 2017b). Some scholars have also referred to the Western export of crime control models and the externalization of borders to countries in the Global South embedded in neo-colonial relations of power (e.g. Weber and McCulloch 2019; Aas 2011a; Ellison 2007; Fernández-Bessa and Brandariz García 2018). However, none of these authors have provided a definition of neo-colonialism, a reference to an author of neo-colonial theory, nor explained what neo-colonialism actually entails. Article 4 of this dissertation therefore delves into a discussion of Kwame Nkrumah’s original theory on neo-colonialism as well as its more recent proponents from IR (Langan 2018; Gegout 2017), specifically looking at the theory’s added value – but also its limitations – for criminology and the sociology of punishment: especially in terms of theorizing the relationship between (travelling) penal power and state sovereignty.

Similar to neo-colonial theory, some criminologists have drawn on dependency theory, a central paradigm of international critical theory in the 1960s and 1970s, in a modified form to explain the flow of crime control policies and models from the Global North to the Global South (Cohen 1988; Ellison and Pino 2012). Dependency theory posited that peripheral countries are structurally dependent on dominant, core countries in the Global North in an interconnected system of world economy (c.f. Wallerstein 2004), that these core-periphery relations were essentially exploitative,

and that the level of development in the West could only be sustained through the persistence of underdevelopment in the periphery (Ellison and Pino, 2012: 45-46). In other words, development was seen as retarded by exogenous factors such as unfavourable trade terms and exploitation. Still, dependency theorists did not write much about crime (Cohen 1988). Ellison and Pino (2012) criticize dependency theory mainly for the solutions its proponents propagated: that countries in the Global South should ‘delink’ from the global economy. Yet, they argue that the analyses and critique of the ‘dependentistas’ are still very valuable for understanding the global diffusion of crime policies today, and they develop their analytical framework along similar but slightly modified lines.



Image 4. Sculpture depicting freed slaves on Gorée Island outside Dakar, Senegal, which served as an important node in the transatlantic slave trade. The island has frequently changed hands, being owned at different times by the French, the British, the Portuguese and the Dutch.

Ellison and Pino argue in their excellent book, *Globalization, Police Reform and Development: Doing it the Western Way?* (2012), that the modus operandi and dynamics of crime policy transfer processes need to take into account the role of human agents and policy entrepreneurs in the transfer process, but also the overall political economy of aid and development assistance. They criticize Andreas and Nadelmann (2006) for having an overly focus on the entrepreneurship of certain hegemonic states (hence being too state-centric), arguing that more attention needs to be given to international political economy and structural inequalities. Thus, crucial

to understanding contemporary Western security sector reform (SSR), police reform and police assistance to the Global South is the role of *neoliberal globalization*. Neoliberalism, they claim, is a hegemonic force in globalization that has replaced older forms of imperialism (2012: 12). It is fundamentally ideological and simultaneously illogical: while the state should be pulled back from virtually all areas of activity (aided among other by structural adjustment programmes of the World Bank and International Monetary Fund), in some areas the state is being reinforced regardless of economic costs – namely in the area of security. Ellison and Pino (2012) argue that this leads, on the one hand, to growing inequality and further marginalization and impoverishment of countries already at the bottom, and, on the other, a global environment shaped by Western strategic security imperatives to fight cross-border threats, such as transnational organized crime and terror. These imperatives, in turn, serve to further consolidating Western economic and security dominance. Their aim is to produce a ‘more effective empire’ (2012: 28). What they call an ‘aid complex’ involves a symbiosis of Western strategic (security) interests and private actors who have commercial interests and above all an interest in self-sustainability. This ‘state-corporate symbiosis’ is among others visible in the lobby in Brussels. In other words, they argue, aid to development as well as to crime control is a promotion of Western interests ‘the back door’, through political pressure, often tied to strategic objectives through mechanisms of conditionality. Furthermore, the ‘one size fits all’ crime control models exported and transplanted embody Western notions of ‘democracy’, ‘rights’ and ‘stateness’ which do not take into account the local ‘history, politics, culture, legal norms, the existence of a functioning state infrastructure and the presence of elite groups who are normatively committed to democratization’ (2012: 56). On the contrary, then, Western police reform and development assistance are often directed at the *maintenance* of social order and the protection of regimes rather than political liberalization and democratization: the aid often benefits the ruling elites in recipient nations but does not impact on processes of democratization and development. Ellison and Pino call this a ‘sovereignty gap’: the effects of global neoliberalism is growing discrepancy between the legal sovereignty of states in the Global South and their ability to provide basic services to their citizens (2012: 17). Importantly, this external imposition of misplaced models also leads to a range of adverse effects and collateral damage on the ground, including human rights violations, abuses against civilians, and insecurity. Moreover, the intelligence capabilities of recipient regimes enhanced by the West often lack accountability, thus directly counteracting the objective of promoting ‘democratic’ policing (2012: 26, 35). Ellison and Pino thus conclude that ‘we are sceptical whether Western development strategies are really about development in the periphery at all, or whether they can be viewed more cynically as ultimately benefiting the interests of the donor nation’ (2012: 54).

Cohen (1988), on the other hand, took a slightly different stance by proposing a position between ‘benign transfer’ and ‘malignant colonialism’ which he called ‘paradoxical damage’. While he agreed with dependency theorists that ‘problems of

poverty, illness, crime, and exploitation should be seen as immanent and intrinsic to the historical and current relationships between the poor and rich countries' (1988: 190), he was much more sceptical than Ellison and Pino when it came to the question of *intentions*. Instead, he argues, what is at stake is that these crime control models – which are promoted by people with predominantly (but not exclusively) good intentions – create what he calls, drawing on Illich, 'criminal iatrogenesis': damaging unintended effects (see also Bowling 2011). Indeed, the crime control models exported did not have a history of success in the Global North, and there is no reason to think they will have it in the Global South either. Still, he asserts, the malignancy of the capitalist enterprise is often exaggerated in neo-Marxist accounts, and the structural imperialism model fails to pick up on certain middle-range issues; rather:

'In [the model of 'paradoxical damage'], if the analogy between the Third World and Western "stages" of development is to be of any use at all, it lies in seeing how these same systems are being reproduced and imposed again. These modes of power and discipline, the essence of what Foucault calls "power-knowledge spiral," cannot be evaluated in terms of cost effectiveness or success. They are systems of regulation, supervision, and classification. It is this discourse, this way of seeing and thinking about the world, that is being exported and that has to be resisted' (Cohen 1988: 192).

This dissertation shares and builds on Cohen's perspective. It regards the international political economy and the asymmetrical structural power imbalance between the Global North and South as an indispensable aspect of analyses of travelling crime control models. At the same time, it finds the perspective of European export of crime control to the Global South as an intentional malignant machinery geared towards effective exploitation of the Global South as being overstated. Following Cohen, it finds it important to take seriously the self-perpetuating role of agencies and control systems as well as their system-internal logic (EU staff probably mostly have good intentions, but they usually also have a wish of advancing within the system), at the same time as the power of institutions of social control tend to 'subvert the purposes for which they were originally intended and that they still profess' (Cohen 1988: 190).

Still, (critical) realist aspects and explanations should not be underestimated. In her ambitious book *Why Europe Intervenes in Africa* (2017), Catherine Gegout reviews, based on hypothesizing realism, constructivism and postcolonialism, the motives behind all European military interventions (both of the EU and key EU member states – notably France and the UK) in Africa since the late 1980s. As the second part of her title implies, she finds that the main motives for intervention were security, prestige and the legacy of colonialism. Security motives include the protection of military bases and European citizens living in Africa, protection from terrorism and migration, and removal of authoritarian leaders (Gegout 2017: 3). Motives of prestige refer to prestige in international relations which increases the intervener's influence over other states (ibid). Postcolonialism, which she to a large extent conflates with neo-colonialism, means that new interventions are conditioned by former colonial

relations, and France and the UK still act according to their zones of influence (2017: 6). She also finds Eurocentrism, ‘the belief that European culture and history are the norm, and that all other cultures are peripheral’ (Gegout 2017: 5), to be at work in Europe-Africa relations, and that it is also often a motive for *inaction*. Humanitarianism has, counter to what has been professed, never been the main motive for the interventions of neither France, UK nor the EU, yet, it has sometimes been one among the other, more important, motives. Moreover, economic motives were also not a main reason for intervention, although interveners were always mindful not to hurt their own economic interests. In general, Gegout (2017) makes a strong case for the importance of (critical) realist theory when it comes to understanding European intervention in Africa; and although her theory is on military intervention, I find little reason to believe that motives behind European intervention into African countries’ internal security sectors should be extremely different.

One of the main strengths and contributions of Marxist theory is the theorizing of power as forms of structural domination which is created and reproduced by international political economy. Moreover, power tends to be understood as something that is in the possession of certain actors and groups categorized as ‘powerful’ which are opposed to the other binary category of ‘powerless’, allowing for counter-power (resistance) (Smith 2006). Some neo-Marxist strands have also gone beyond a ‘mechanical materialism’, such as Gramscian theory with an emphasis on ideological domination (Femia 1975), and postcolonial theory giving attention to how patterns of (historical) domination are also psychologically and culturally internalized (see e.g. Fanon 1965; Saleh-Hanna 2008). Still, this thesis also wishes to bring in perspectives on less dominative, more ‘middle-range’, and non-material forms of power. For this reason, it complements neo-Marxist perspectives on structural power with (neo-)Foucauldian perspectives providing theorizations of more nuanced, non-dominative, microphysical and productive forms of power.

3.3. NEO-FOUCAULDIAN POSTSTRUCTURALIST APPROACHES: PRODUCTIVE POWER, GLOBAL GOVERNMENTALITY, AND POLICY TRANSLATION

This section accounts for Foucauldian notions of power¹⁹ as they relate to travelling crime control policies – particularly in the context of ED-JHA and EU external action

¹⁹ Foucault identified three forms of power throughout his (sometimes divergent and hardly coherent) authorship, each of which emerged and played their main role at distinct points in time, surpassing each other yet also simultaneously co-existing: sovereignty, discipline and governmentality. *Sovereignty* was characterized by the absolute and direct rule of the king, a ‘play between sovereign wills’, whose object of rule was territory, and obedience to the law was a goal in itself. Yet the other two forms of power would come to ‘cut off the king’s head’ (Foucault 1995[1977]), by working through dispersed microphysics instead of direct and hierarchical imposition. *Discipline* emerged with the modern institutions of the administrative

on crime control. I argue that criminological poststructuralist analyses of crime policy mobilities have tended to focus on a micro and at best meso level of analysis that could benefit from more analytical attention to global governmentality forwarded by IR scholars. Therefore, this account goes from macro, through meso, to micro-levels of governmentality analyses of (EU) crime control and security mobilities. With regard to north-south travelling crime control models, three ‘sets’ of neo-Foucauldian analyses are particularly relevant: first, IR scholars who have theorized global politics and north-south relations as ‘global governmentality’ (e.g. Neumann and Sending 2010; Duffield 2007); second, IR researchers who have investigated EU external security governance as governmentality (Balzacq 2008; Merlingen 2011; Merlingen and Ostrauskaite 2005, 2007); and, third, criminologists who have researched travelling crime control policy as ‘translation’ and ‘translocation’ (Melossi et al. 2011; Blaustein 2015).

Neumann and Sending (2010) extend Foucault’s analysis to explore the ‘governmentalization of global politics’. In particular, they provide a Foucauldian reading of international organizations (IOs), noting that the expansion of systems of classification of states, measuring their performance through indicators and benchmarking, are indeed technologies through which these IOs govern states ‘through freedom.’ States are also classified into categories as those who are able or not able to govern themselves responsibly – the latter termed ‘failed’ states or at the risk of becoming so, i.e. ‘fragile’. In order to receive loans and aid from IOs, states need to commit to certain policies and reforms and align their behaviour with international norms. Interestingly, Neumann and Sending (2010) note that governmentality studies tend to downplay the role of sovereignty – yet an important aspect of the governmentalization of global politics has been the ‘governmentalization of sovereignty’ in which ‘ownership’ and participatory processes function as indirect modes of control. In other words, ‘sovereignty is part of the episteme within which

state, such as schools and prisons and, working through constant classification and supervision that sought to discipline bodies and souls so as to make them productive. *Governmentality* emerged as a response to the discovery – through new forms of knowledge such as statistics, demography and epidemiology – of ‘the population’, ‘the society’ and ‘the economy’ as ‘new’ aspects or entities of reality to be governed. The key aspect that permits governmentality to operate is freedom and normalization, as subjects need to be free but simultaneously responsabilized. Power produces behaviour which is in accordance with the norm, and people are governed indirectly through ‘technologies of freedom’. Neo-Foucauldians also observed a new ‘stage’ of governmentality from the middle of the 20th century onwards which they called ‘advanced liberal’ forms of governmentality (Rose 2000, Dean 1999). They asserted that the role of the state had changed from being from being a ‘guarantor and ultimate provider of security’ to be a facilitator and partner for multiple autonomous actors, where its role is to ‘steer and regulate rather than to row and provide’ (Rose 2000: 324). ‘Action at a distance’ depends upon alliances with a range of independent non-state actors who are responsabilized through ‘techniques of accountability’ (Rose 2000).

IOs operate' (2010: 145). Moreover, Neumann and Sending reflect on the distinction between liberal forms of governing and 'police' forms of governing (the latter implies reconfigured forms of discipline and sovereignty, see Dean 1999), noting that states which are classified as being unable or unwilling to govern themselves 'responsibly' are not only blamed and shamed but sometimes also subject to sanctions and direct intervention – such as UN peace operations or intervention under the heading of 'Responsibility to Protect'.

Also other scholars in international political sociology and what has come to be termed 'Foucauldian Security Studies' (FSS), have theorized Western liberal intervention and war as forms of biopower 'going beyond the mere territorial (...) to transform and improve spaces and populations cast as developmentally backwards' (Howell and Richter-Montpetit 2019: 3). One of the most prominent contributions of this literature is Mark Duffield's book *Development, Security and Unending War* (2007), in which he builds an argument of development as being a liberal 'technology of security' by exerting moral and educative trusteeship over surplus life. He argues that development is not in fact intended at reducing the economic gap between rich and poor countries, but rather to 'contain and manage underdevelopment's destabilizing effects, especially its circulatory epiphenomena such as undocumented migrants, asylum seekers, transborder shadow economies or criminal networks' (Duffield 2007: ix). Divided into 'developed' and 'underdeveloped' species-life, 'effective' countries see it as their moral duty to better the lives of the ones living in 'fragile' and 'failed' ones, thus improving international security. This has given birth to what Duffield calls 'liberal imperialism' and 'humanitarian empire' implemented by donor governments, UN agencies, militaries and NGOs (2007: 7-8). Thus, while old forms of colonialism were marked by sovereign forms of power, the 'new imperialism' is characterized by what Duffield calls, drawing on Harrison (2004), 'contingent sovereignty':

'While respect for territorial integrity remains, sovereignty over life within ineffective states has become internationalized, negotiable and contingent (...). Contingent sovereignty constitutes a zone or frontier that is shaped by the interaction between national and international actors and institutions (...). It constitutes a contested post-interventionary political terrain. In consolidating this frontier the state has reoccupied the centre ground of Western development discourse' (Duffield 2007: 28).

With regards to crime, Duffield's analysis makes an important contribution by highlighting how the danger of 'transnational illicit flows' has come to legitimate western intervention into states labelled as 'fragile' and 'failed'. Yet his main focus, probably due to his background as a development scholar, is on development and the *liberal*, rather than the *illiberal*, aspects of biopolitical and governmental rationalities and technologies. Other FSS scholars have tended to explore illiberal practices too, yet almost always focusing on security as war and military intervention and not on crime and crime control (see e.g. Bachmann et al. 2014). With regard to the latter,

however, an important criminological contribution has been made by Brisson-Boivin and O'Connor (2013) who coined the term 'penal aid' to denote increasing international efforts to fix the 'flawed penalty' of 'fragile states' so as to make them more effective in countering transnational security threats. According to Brisson-Boivin and O'Connor, penal aid embodies specific logics and rationalities of control as well as the particular technologies deriving from them, for instance by providing certain 'universal' penal norms and rule-of-law indicators. While their text is a great step forward in theorizing global or international crime control as governmentality, criminologists applying a Foucauldian perspective have not theorized the transfer of crime control and security policies as a part of EU *external relations* – as opposed to critical security studies (CSS) and international political sociology.

While the Copenhagen School's Securitization Theory conceptualized securitization as an issue becoming a matter of security through a performative 'speech act' (thus focusing on securitizing discourse) (Buzan et al. 1998), the Paris School of CSS developed a sociologically-oriented understanding drawing on Bourdieusian and Foucauldian understanding of practices. Thierry Balzacq noted that security problems may sometimes even originate with little discursive design, arguing that securitization might best be understood by 'focusing on the nature and functions of policy tools used by agents/agencies to cope with public problems, defined as threats' (2011: 15).²⁰ Securitization tools, which are 'empirical referents of policy', embody a specific image of the threat and the practices through which it should be tackled, have their own political economy, and shape social relations in decisive ways (2011: 16). Further, Balzacq identified three broad types of policy instruments in the external dimension of EU Justice and Home Affairs: regulatory (e.g. action plans), incentive (e.g. development aid) and capacity instruments (e.g. information exchange) (Balzacq 2008, 2011). *Regulatory instruments* work through 'normalization' of behaviour (e.g. through policy regulation, constitution), for instance by prohibiting certain activities which are turned into a menace (Balzacq 2011: 17, 2008). I find this perspective particularly interesting with regard to the power of EU Association Agreements (AAs) and action plans with the ENP countries, coined by some as an instance of 'structural power Europe' (SPE) – the power of the EU to impact the legal and regulatory mechanisms of third countries as 'a sustainable effort of the European Union to shape the neighbourhood according to its own "template" (...)' (Tyushka 2017: 48). Regulatory tools relate essentially to the processes of governmentality (Balzacq 2011:

²⁰ Balzacq (2011: 3) defines securitization as 'an articulated assemblage of practices whereby heuristic artefacts (metaphors, policy tools, image repertoires, analogies, stereotypes, emotions, etc.) are contextually mobilized by a securitizing actor, who works to prompt an audience to build a coherent network of implications (feelings, sensations, thoughts, and intuitions), about the critical vulnerability of a referent object, that concurs with the securitizing actor's reasons for choices and actions, by investing the referent subject with such an aura of unprecedented threatening complexion that a customized policy must be undertaken immediately to block its development'.

17). *Capacity tools*, on the other hand, are specific modalities for imposing external discipline upon individuals and groups (Balzacq 2011: 15) and include, inter alia, ‘information, training, force and other resources necessary to the attainment of policy purposes’ (Balzacq 2008: 82). Capacity tools are for instance EU databases, which ‘are always under pressure to adopt new protocols and practices, to extend their functions and to mobilize new resources to attend to the transformations in what is perceived as a precarious environment’ (Balzacq 2008: 82). This thesis, however, focuses on the third type of instrument, namely *incentive instruments* such as development aid, which Balzacq granted relatively little attention.

With regard to analyzing EU foreign policy and security sector reform as governmentality, brilliant contributions have also been made by Michael Merlingen – both alone (Merlingen 2011) and together with Rasa Ostrauskaite (Merlingen and Ostrauskaite 2005, 2007). Central their work have been the Foucauldian conceptions of ‘political rationalities’ and ‘political technologies’ on which this thesis also draws. ‘Political rationalities’ which are logics of governing ‘underpinned by coherent systems of thought, [with] different kinds of calculations, strategies and tactics linked to each’ (Rose, 1999: 24) that delimit a field of governance in a practical, technical and programmatic way by ‘shap[ing] what is and is not thinkable, reasonable, practicable and doable’ (Merlingen, 2011: 152). Political technologies ‘translate the governmental ambitions embodied in political projects of improvement into the realm of action’ (Merlingen and Ostrauskaite 2007: 23); they are ‘the practices and devices through which political rationalities are operationalized and implemented in actual governance programmes and activities’ (Merlingen, 2011: 152). Merlingen and Ostrauskaite (2005; 2007) draw on both IR and criminology, and Garland’s work in particular, to develop their analysis of how police training in European Security and Defence Policy (ESDP, now CSDP) missions work simultaneously as ‘technologies of the other’ through external pressures, as well as ‘technologies of the self’ by which police in the post-conflict country are trained to work on themselves to create their own subjectivities. With regard to political rationalities, they note that ‘ESDP police missions promote punitive, sovereign technologies of policing in the context of their governmental project to cultivate post-conflict police forces that effectively and humanely control and protect citizens and public order’ (2007: 22). Yet, the missions are also themselves underpinned by specific political rationalities:

‘Contemporary peacebuilding is underpinned by a rationality that joins, albeit uneasily, elements of both the pastorate and liberalism. It assembles heterogeneous programmes and technologies with a view to promoting liberty through practices of unfreedom. The underlying assumption is that a period of pastoral discipline and administration is needed to inculcate habits of responsible choice into natives and install institutional capacities for liberal peace in violently divided societies (Merlingen and Ostrauskaite 2007: 31).

Governmentality analyses' attention to 'the quotidian functioning of the micro-physical power', they argue, brings into focus how even small missions with limited budgets that 'lack big sticks and juicy carrots, are able to mobilize non-sovereign forms of power that evade and undermine the material, juridical and diplomatic limitations placed on them' (2007: 29). In this respect, Merlingen and Ostrauskaite identify a basic repertoire of technologies that ESDP missions employ to align the conduct of locals consistent with their objectives, the operation of which makes out a field of governmentality: co-location, professionalization and governmentalization (2007: 104). *Co-location* of EU experts along with senior local staff with strategic and tactical responsibilities in Ministries of Security or Interior as well as alongside officers in field headquarters and police stations that do monitoring, mentoring and advising, 'manipulates relations of vision to regulate the conduct and subjectivity of local police officers' (2007: 104). Also a disciplinary technique, *professionalization* mobilizes 'truth' to reassemble individual selves through local police officers internalizing a series of Western-defined norms about police professionalism, whereby they subsequently subject themselves to self-scrutiny and self-evaluation in an effort to improve themselves. *Governmentalization*, on the other hand, refers to the transformation of public sector institutions of conflict-affected states to align them to neoliberal Western standards of bureaucratization and public sector competitiveness. In doing so, Merlingen and Ostrauskaite warn, peacebuilders hollow out local law-and rule-making powers, running the 'risk of institutionalizing a concern with economic rationality in public organizations at the expense of alternative organizational principles, notably the democratic participation of citizens' (2007: 110).

From a criminological point of view, Blaustein (2015) analyzed police reform (but that of other international actors such as United Nations Development Programme - UNDP, not the EU) in Bosnia and Herzegovina from a governmentality perspective, seeing it as an instance of 'glocal policing', where transnational crime control impacts on 'low' police-building locally. Similarly to Merlingen and Ostrauskaite, he is concerned with how the global models of policing are being 'translated' into local trainings and practices – noting that they are rather aiming at control than empowerment. However, instead of focusing on political technologies, he draws on the Latourian notion of translation, and role of mediators who 'transform, translate, distort and modify the meaning or the elements that they are supposed to carry' with the effect that '[t]heir input is never a good predictor of their output' (Latour 2005: 39 cited in Blaustein 2015: 83; see also Cold-Ravnkilde and Nissen, *forthcoming*, for a similar analysis of EU security policy in Mali). In doing this, Blaustein both leans on and further develops a long ongoing debate in the sociology of punishment on the cultural embeddedness of 'penal transplants' (Garland 2006; Melossi et al. 2011). The concept of 'penal transplant' (building on that of 'legal transplant' in legal scholarship) refers to travelling penal institutions, legal terms and criminological conceptions (Garland 2006). Melossi et al. 2011 argued that attention in analyses of

policy mobilities should be given to the processes of translation, trans-location and metamorphosis when the travelling penal object is transplanted to a new context.

Analyses on how crime control models travel have almost exclusively focused on policing models and especially on ‘community policing’ (but see Milivojevic 2019). By focusing rather on the export of borders and their management as an increasingly central ‘technology of crime control’, this thesis (Article 3) also draws on (critical) border studies from both criminology and IR to theorize the border as a ‘penal transplant’ in West Africa. Theories on borders will, however, not be described at lengths here as this is done to some extent in Article 3.

Foucauldian notions of power as productive are important contributions on which this thesis draws. Still, it should be mentioned that some have criticised Foucault’s genealogy of power for being selective and ahistorical due to its inherent Eurocentrism which ignored (or at least downplayed) the role of racism and colonialism – not only overlooking Europe’s exertion of (dominative forms of) power in the colonies but also colonialism’s constitutive role in the making of European modernity (Howell and Richter-Montpetit 2019). In the colonies, microphysical forms of power such as discipline and governmentality were not applied; rather, here Europeans would direct domination through physical violence and sovereign forms of power. Biopolitics, it has been argued, is based on an unspecified view of a Eurocentric ‘human’ (Howell and Richter-Montpetit 2019). In this regard, Achille Mbembe (2003) complemented Foucault by focusing on the role of racism and especially the violent character of sovereignty – which does not only entail the power to let live (biopolitics) but also the power to kill (necropolitics). Mbembe’s concept of necropower is especially relevant with regard to analysing both old and new forms of colonization. Power as domination is generally downplayed in Foucauldian theory (Merlingen and Ostrauskaite 2007: 25). In other words, in their attempt to go beyond merely repressive forms of power to bring out its productivity, governmentality scholars often fall into the trap of subscribing to ‘an ethically vacuous and hence apolitical reading of liberal power’ (Merlingen and Ostrauskaite 2007: 25). Generally, Foucauldian analyses have tended to focus less on the role of the state and sovereignty (Tombs and Whyte 2003: 223; Aas 2011b: 332), which are concepts that this dissertation aims to bring to the forefront of analyses of crime control. Therefore, it complements neo-Foucauldian perspectives with neo-Marxist and (post)colonial ones. However, I also argue in this dissertation that there is a need to go beyond ‘traditional’ Western theorizations (be it Foucault or Marx) of political power in order to understand and conceptualize what happens when European crime control models travel to Africa.

3.4. WESTERN CRIME CONTROL MODELS MEET AFRICAN STATEHOOD, POLITICAL POWER AND SOCIAL CONTROL

This dissertation is not merely concerned with how crime control models travel from Europe to Africa, and the forms of power implicated in such travelling, but also what happens when these European policies and models meet African realities (or discourses, if we are to stick to Foucault). This is simultaneously a question of what happens to Western-conceived criminological theory when it meets African political orders and forms of social control. Can political power and crime control in Europe and Africa be conceptualized in the same way, using the same theoretical lenses – as sovereignty, discipline and governmentality, or as class struggle? What are the extents and limits of criminological theory (and social and political theory at large) when exploring crime and crime control in West Africa?

Some scholars of SSR have criticized the Western efforts to export an ideal-type legal-rational Weberian state to countries labelled as ‘fragile’ or ‘failed’ (e.g. Duffield 2007; Abrahamsen 2016; Ellison and Pino 2012). Security assistance is mainly directed at state actors, such as police, gendarmerie, intelligence services and Ministries of Interior and Justice – while non-state actors tend to be viewed as threatening and in opposition to the state (Abrahamsen 2016). Abrahamsen (2016) observes that Western donors, such as the Organization for Economic Co-operation and Development (OECD), which has had a leading role in defining SSR, have to some extent internalized the above critique about Eurocentricity, now also propagating ‘networked’ forms of SSR where the state should be acting like a hub of control. In this new model, which is thought to be more fitting to the type of political regulation in post-conflict societies, the state should ‘steer and regulate rather than row and provide’ (Abrahamsen 2016: 289; c.f. Rose 2000), and Western SSR has become more willing to acknowledge that security and justice in (post-)conflict societies are often provided by non-state actors – as long as they act in accordance with the state. In fact, there seems to be a shift from comprehensive state-building based on norms and rules (i.e., good governance, rule of law, human rights) towards ‘state-building lite:’ pragmatic, technical and decentralised forms of security assistance aimed to build the capabilities of subnational security actors (Tholens, 2017). However, Abrahamsen argues that despite Western actors’ ability to learn, the new ‘networked state’ is nevertheless a new fixed model conception of state as a particular material form performing particular roles; reproducing the opposition between the weak/fragile state and the ideal state, and the binary between state and non-state actors (2016: 289). Such SSR discourses of statehood are deeply ahistorical, she asserts, as the postcolonial states were created in very different ways than European ones – namely out of European imperial competition. For this reason, Africanists and anthropologists have called for studying African statehood and political orders on their own empirical terms rather than deficiencies compared to Western states – exploring what statehood in Africa *is* rather than what it is not.

Jean-Francois Bayart (1993) argued that patrimonial state structures in Africa can be better termed a ‘rhizome state’ ‘equivalent to a tangled underground root system, which has no ‘central axis’, no unified point of origin, and no given direction or growth (Grosz 1994 in Ellison and Pino 2012: 37). De jure sovereign states, partly legacies of colonialism and partly attempted exported after de-colonization, have never been fully institutionalized and are seen by some scholars to provide ‘empty shells’ which are bad indicators for how (informal) political power actually operates (Chabal and Daloz 1999; Vigh 2012). Therefore, African studies scholars have argued for conceptualizing statehood as *processes* rather than a fixed entity (Abrahamsen 2016; Hagmann and Péclard 2010; Solhjell 2020; Lund 2007). Analytical attention is then paid to how a range of actors – both those considered state, non-state, or in-between – are ‘doing the state’ (Abrahamsen 2016): exploring ‘empirical statehood’ and the ways in which it is negotiated (Hagmann and Péclard, 2010). The state, then, should be understood as an *idea* and a category of *practices* rather than a (pre-defined) category of analysis; and investigation should pay attention to how the state is *performed* and enacted through people’s experiences (Solhjell 2019: 10).

It has been observed that political power in the Sahel and Africa more broadly has been expressed as control over people rather than land (McDougall and Scheele 2012: 14; Bayart 2000: 34; Bøås 2015). Thus, political power in Africa has been theorized as patrimonial, informal and personalized, working through ‘instrumentalizing disorder’ (Chabal and Daloz 1999; Erdmann and Engel 2007). Terms such as ‘hybrid political orders’ (Boege et al., 2008), ‘Big Man networks’ (Utas, 2012), and ‘heterarchy’ (Hüsken and Klute, 2015), have been conceived of in order to conceptualize the diversity and dynamics of non-state political orders parallel to or beyond state sovereignty. For instance, Hüsken and Klute (2015) argue that Libya and northern Mali are characterized by what they call ‘heterarchical’ forms of political organization (i.e., non-hierarchical, ‘fluctuating entangling and disentangling tribal, statelike, Islamist and jihadist, youth, civil, organized crime, and militia-like forms of political organization’) which have varying and changing relations to the central state:

‘In a heterarchical configuration, the state loses its predominant position and becomes one player (albeit often first among equals) among a number of political actors who negotiate the political order on a horizontal plane. For some authors, these processes stand for decline in statehood and political disintegration. For others, they mark a political reality that is shaped by the dissolving of clear demarcations between state and non-state actors. Shared sovereignty between state and non-state formations, between centres and peripheries, between the national and the local level, becomes a central feature of the ‘real practice of African governance’” (Hüsken, 2017: 914).

Such ‘real practices of African governance’ challenge Western-imposed security models focused on stabilization and stateness understood as territorial control (Abrahamsen 2016: 291). However, while some few African studies scholars have

given attention to crime, for instance, extra-legal governance by groups performing para-state or ‘shadow state’ functions (Reno 2011), this strand of theory has generally lacked conceptualizations of *crime control*. This is curious given that crime control, as one of the key functions of a legitimate monopoly of force, is so central to the Weberian state model that this strand of research has been so keen to contest. By drawing on theories on African statehood, this dissertation argues that Western criminological theory is challenged in central ways, which calls for a re-conceptualization of the relationship between crime control, political power, and the state.

3.5. CONCLUDING REMARKS

The dissertation draws on both critical theory (Articles 2 and 4) and Foucauldian poststructuralist theory (Articles 1 and 3). These two strands of theory are, however, intuitively ontologically and epistemologically incompatible. This has to do with their different conceptions of reality. For (neo-)Marxists there is an objectively real reality which tends to be masked and concealed by liberal discourses that hide real ideology and domination; while for (neo-)Foucauldians reality is discursively constructed and can only be (subjectively) grasped through discourses, concepts and representations. This also has epistemological consequences: are we ‘unmasking’ reality or are we studying its discursive representations? My argument is that although these ontologies may be incompatible, there is a need to combine these two strands in order to provide a more holistic analysis of power with regard to travelling crime control. This means that analysis needs to have attention to both structural forms of power (with attention to how crime control export is embedded within the overall political economy) as well as to productive, de-centered and non-dominative forms of productive power. Moreover, the two perspectives are drawn on in this thesis at different ‘levels’ of analysis: one ‘uncovers’ the ‘real’ practices of crime policy export; the other gives a meta-perspective on articulations, understandings and discourses. Thus, rather than being in opposition, I argue that these perspectives should supplement and complement one another.

CHAPTER 4. RESEARCH DESIGN, METHODOLOGY, AND DATA

The empirical ambition of this thesis has been to study the entire ‘chain’ of ‘crime control as external policy:’ from crime policy formulation in Brussels and broader EU policy trends, to ways in which policy and models are transferred and exported, the implementation of counter-crime projects in the Sahel and their consequences. This has been reflected in the research design, which followed three phases: moving from document review of broad EU policies over time – to fieldwork in West Africa – and back to interviews at EU institutions in Brussels.

4.1. PHASE 1: EU POLICY REVIEW AND COMPILATION OF A DATABASE ON EU ‘INTERNAL SECURITY AID’ TO THE WIDER SOUTHERN NEIGHBOURHOOD THE PAST 15 YEARS

Since the Tampere European Council in 1999, the EU has produced a range of official strategies highlighting its progressive wish to use external and foreign policy instruments to tackle crime-related security threats (e.g. European Council 1999; Council 2003, 2005, 2010; EUGS, 2016). The purpose of these official strategies was to call for common action between the Member States. Yet having studied a wide variety of EU official strategies, I argue that a deeper understanding of how the EU conceives of ‘transnational crime’ and the ways in which it should be controlled, is hard to attain from such reading. The fight against transnational crime most often figures as an ‘add on’ to a (changing) list of security threats, sometimes figuring by itself, and sometimes as a part of other ‘threats’ such as drug trafficking or human trafficking – very rarely accompanied by an explanatory note about what the term actually contains. Moreover, the discourse in these strategies is very much in line with a global consensual crime control discourse and multilaterally accepted frames (Jakobi 2013; Andreas and Nadelmann 2006), often along the following lines:

‘Europe is a prime target for organised crime. This internal threat to our security has an important external dimension: cross-border trafficking in drugs, women, illegal migrants and weapons accounts for a large part of the activities of criminal gangs. It can have links with terrorism. Such criminal activities are often associated with weak or failing states’ (Council, 2003:32).

Thus, the aim of this doctoral research has been to go beyond official EU strategies to also explore how this discourse has legitimated particular processes and practices – or what Foucauldians would refer to as the material/practical dimension of discourse. It has been argued that the policy narrative of state fragility as a breeding ground for transnational organized crime and other security threats, and the view that these

external threats pose a direct threat to the West's internal security (i.e., the internal-external security nexus), have legitimized and fuelled Western intervention into countries in the Global South (Duffield 2007). In other words, the inability of countries to exercise their sovereignty in terms of controlling crime and violence on their territory legitimizes the incursion of external actors into their sovereign space for crime control purposes. This is the background why this thesis rather embarked on studying the 'material' or 'practical' dimension of EU external crime control policies – i.e., what the EU *does* rather than what it says (c.f. Smith 2005).

In doing so, the dissertation aligns itself with the Paris School in critical security studies (CSS), which called for moving beyond the linguistic dimension of threat construction (i.e., securitization as speech act) to focus on security professionals, security practices, security tools and technologies (Bigo 2014, Balzacq 2011). Thierry Balzacq argued for studying securitization by exploring the 'empirical referents of policy' – i.e., 'the policy tools and instruments that the EU utilizes to alleviate public problems defined as threats' (2008: 76). Policy tools reveal how policy-makers translate intentions into concrete actions yet they may also come to 'live lives of their own' (indeed, mission creep is not uncommon). Also Lascoumes and Le Galès (2007) developed a compatible theory of policy instruments premised on two main arguments:

- (1) public policy instrumentation is a major issue in public policy, since it reveals a (fairly explicit) theorization of the relationship between the governing and the governed: every instrument constitutes a condensed form of knowledge about social control and ways of exercising it; and (2) instruments at work are not neutral devices: they produce specific effects, independently of the objective pursued (the aims ascribed to them), which structure public policy according to their own logic. (Lascoumes and Le Galès 2007: 1).

Methodologically, then, attention needs to be paid to rationales behind policy tools as well as the knowledge that a tool provides about the nature of a threat (Balzacq 2008).

Article 1, co-authored with Dr. Alessandra Russo, explores the broad policy trends of the EU's fight against crime across regions over a period of 15 years. Methodologically, it looks at what Balzacq (2008) calls 'incentive instruments,' meaning that it scrutinizes the aid that the EU has spent on projects with objectives to fight transnational crime. One alternative way to study broader policy trends could have been to look at what Balzacq (2008) calls 'regulatory instruments' – through exploring the extent of transfer of the JHA *acquis* to third countries and the legal basis for external action scrutinizing Association Agreements (AAs) and action plans (APs), or for countries beyond the European Neighbourhood Policy (ENP) countries, bi-lateral agreements (which are, however, increasingly informalized and sometimes hard to obtain – see Carrera et al. 2019). This is also precisely what is typically done by EU scholars studying policy transfer and external governance

usually employing legal and institutionalist methods (e.g. Wolff 2012; Lavenex and Wichmann 2009, Wichmann 2007). However, this thesis has rather focused on the ‘meso-level’ external policies (projects, missions), which it argues also have the power to shape structures (c.f. Merlingen 2011).

The following two articles, Articles 2 and 3, rather take a criminological approach by looking at the meso and micro-level of how ‘penal transplants’ are transformed, ‘translated’ or ‘translocated’ into the local context and distinct ‘penal cultures’ (cf. Melossi et al. 2011, Sozzo 2011; Garland 2001). However, I argue that only looking at this level would inhibit me from understanding the broader patterns of how the EU’s understanding of and responses to ‘transnational (organized) crime’ have changed across regions and over time.

Therefore, Article 1 embarked on a methodology that allowed for a Foucauldian type of comparison – where the units of analysis and comparison are ‘political rationalities and technologies of crime control’ (c.f. Rose and Miller 1992). It is based, apart from a review of EU policies, on the compilation of a database on EU aid to fight transnational (organized) crime across the wider Eastern and Southern Neighbourhoods²¹ the past 15 years²² across different EU funding lines.²³ In total, we compiled²⁴ information about 216 projects; 67 in the East divided between 57 in Eastern Europe, 10 in Central Asia; and 149 in the South divided between 74 in North Africa and the Middle East (MENA), and 75 in Sahel/Lake Chad and the Horn of Africa (see Appendix C). We calculated that project aid to crime control objectives (leaving out CSDP missions) amounted to a total of almost €2.4 billion: €877,5 million in the East, divided between €805 million in EaP area and €72.5 million in Central Asia; €1.5 billion in the South, divided between €925 million in MENA, €414

²¹ I compiled the database and wrote the part on the wider Southern neighbourhood, meaning Middle East and North Africa (MENA), Sahel/Lake Chad and Horn of Africa, and Alessandra Russo compiled and wrote the parts on the wider Eastern neighbourhood, meaning Eastern European countries and Central Asia. We collaborated on comparing and authoring the comparative parts. We chose to leave out the Western Balkans. The main reason for this is that the Balkans has generated the richest literature on ED-JHA (e.g. Trauner 2007; Ioannides and Colanter-Celador 2011; Merlingen 2011; Merlingen and Ostrauskaite 2007; Milivojevic 2019).

²² The timeframe of 15 years was chosen due to the fact that the earliest EU projects that we were able to find information about online started in 2005.

²³ This includes both intergovernmental CSDP, and the Commission-run external policy instruments: European Neighbourhood (Partnership) Instrument (ENPI/ENI), Development Cooperation Instrument (DCI), European Development Fund (EDF), Instrument contributing to Stability and Peace (IcSP), EU Emergency Trust Fund for Africa (EUTF).

²⁴ Compilation means that we collected as much information as possible about as many projects that we could possibly find through internet research.

million in Sahel/Lake Chad and €169 million in the Horn of Africa. However, these amounts constitute a minimum as for several projects the amount of aid could not be found. CSDP missions were compiled and reviewed but not added to the above numbers as they have annual running costs between €15-30 million – yet it is not always easy to find the exact amount for each year. It should be noted that the database is neither quantitative nor can it deliver a statistical representation of the EU's fight against crime. Our main focus has not been on quantification but rather on tracing and systematizing broader patterns characterizing the EU's external fight against transnational crime over time, although information is lacking to make it exhaustive. This approach assumes that action fiches and action documents are more revealing than official strategies in shedding light on how the EU renders 'transnational (organized) crime' governable in different contexts. Action fiches are 20-30 pages project documents comprising information about a project's objective, funding line, timeframe, aid modality, context/country situation, complementary projects, description of the project's actions and activities, expected results, and implementing partner. The database thus builds on the mining and review of several thousand pages of action fiches and action documents, and when these were lacking, website contents.²⁵ It should thus be emphasized that the database does not include *all* the EU's projects, missions or external action as much information was unobtainable – yet, we argue that we have managed to gather enough information about a sufficient amount of projects/missions so as to be able to say something about the broader patterns and trends of how the EU problematizes and seeks to govern crime across its extended neighbourhoods. All projects/missions gathered were coded as to whether they explicitly (i.e. sectors of intervention) and/or implicitly (i.e., objectives and activities) comprised elements on law enforcement/police, justice, prison, border security, or alternative development. This gave us a better comprehension of the evolving patterns in terms of what types of crime the EU prioritizes to combat, where, how and why. It should be mentioned that we through our mapping simultaneously constructed our own conception of 'transnational organized crime' as a research object. Therefore, we took a broad approach: for instance, as the EU regards terrorism as a crime and favours a criminal justice response to it (Argomaniz 2012) we also included projects on counter-terrorism (CT) and countering violent extremism (CVE) in our mapping. Projects on migration and border security were also included when

²⁵ It should be noted that a serious problem with doing online research on EU projects and money is that information is outdated, incomplete and/or rapidly disappearing. The author recently discovered that the European Commission removes action fiches of EUTF projects from the Internet after the project is completed – something which means that it is difficult to have thorough information about a finished project. This poses problems for future uses of the database as it provides links to the action fiches/documents and only a part of the action fiches have been physically downloaded to the author's computer. Luckily, this happened after the articles were written. I would argue this also poses serious problems to EU transparency.

they had components on crime (e.g. fighting illegal migration, migrant smuggling, human trafficking).

4.2. PHASE 2: FIELDWORK IN SENEGAL, MALI AND NIGER

The objective of the fieldwork was to uncover information that the above database could not provide, namely how EU crime policy was transferred and crime-fighting projects were actually implemented on the ground. In other words, it focused primarily on processes and practices of crime policy export, and views on those practices, as well as what happens in the meeting point between project implementation and local social realities. In addition, it had the exploratory aim of getting an overview of what other European (i.e., Member States bilaterally) and international actors did in these countries in terms of security and crime-fighting – meaning, what was the EU’s role in this crowded field compared to that of other actors.

4.2.1. CHOICE OF COUNTRIES FOR FIELDWORK

The units of research and analysis in this doctoral research are (types of) crime control policies, models and interventions. Fieldwork sites were thus chosen due to being the transnational locations most targeted by the EU’s external fight against transnational crime, and which constitute a wide breadth/variety of types of EU crime control interventions. Senegal, Mali and Niger are three out of five EU priority countries in Africa (the other being Nigeria and Ethiopia), and the three largest recipients of the security-focused EU Emergency Trust Fund for Africa (EUTF).²⁶ While more EU funding to projects with crime control objectives goes to North African countries (see Article 1), these have also been more extensively studied when it comes to the ED-JHA (see e.g. Durac 2018; Roccu and Voltolini 2018; Del Sarto and Steindler 2015; Joffé 2008; Roy 2012; Wolff 2012; Wichmann and Lavenex 2009; Cassarino 2017). The growing importance of ED-JHA in EU action in the Sahel is a more recent trend, which has accelerated with the 2015 ‘migration crisis’ and launch of the EUTF (Stambøl 2019). Another key reason for choosing the Sahel is also that it is, contrary to North Africa, home to three large CSDP missions²⁷ – which are particularly interesting from a crime control perspective as they build internal security apparatuses

²⁶ In 2017 EUTF had programmed for Niger 229,9 mill euro, for Mali 186,85 mill euro and for Senegal 161,8 mill euro. See EUTF progress report 2017: https://ec.europa.eu/trustfundforafrica/sites/euetfa/files/2017_tffa_en_web_lowres_final05.pdf Security and crime-related EU funding is much higher for these three countries than for Nigeria and Ethiopia.

²⁷ Although there is EUBAM Libya, which is based in Tunis as Libya is not only inaccessible for researchers but also for EU staff.

with mission mandates to fight transnational crime. Thus, the Sahel seems to be home to a larger variety of interventions despite lower amounts of total funding.

Mali is particularly interesting, as it has provided a ‘test’ case and a ‘laboratory’, for the EU’s comprehensive approach – meaning the deployment of a whole variety of foreign and external policy instruments (Cold-Ravnkilde and Nissen, *forthcoming*), where the EU’s main objectives are to fight security threats such as terrorism, violent extremism and organized crime.

Niger is especially interesting in terms of crime control due to the EU’s comprehensive efforts to enrol the country in its fight against transnational migrant smuggling. This has been done through deploying an extensive set of projects, including a CSDP mission, with crime control objectives.

Senegal is both interesting in and by itself, as one of the first countries in West Africa that started intensively collaborating with Europe and the EU on internal security to stop ‘migrant smuggling’, but also because Dakar is the home to the regional headquarters of International Organizations (IOs) from where many of the region-wide projects are being managed – including those of the EU, UNODC and IOM.

Thus, this research is not a comparative case study of countries, rather it is a study of crime control interventions. Moreover, fieldwork sites were not chosen due to convenience of familiarity with the language – on the contrary, I learned French in order to be able to do the fieldwork.²⁸ The first month of interviews in French (which started in Mali end of October after three weeks in Senegal), I mostly conducted together with other researchers. After about 3 weeks of interviews (and after having been about 1,5 months in Africa), I was able to conduct interviews in French alone (because I was by then able to formulate comprehensible questions spontaneously not just to understand the answer) and after three months I was able to conduct interviews in French without a voice recorder, just by taking notes – although I would still always prefer the recorder if the interviewee agreed, which they mostly did. With a few exceptions, all the French interviews were recorded and later transcribed by research assistants in Mali and Senegal.

Going to three countries gave a wider variety and breadth of EU crime control interventions, and helped to discern what policies and action that constitutes a general trend that is driven by Brussels and European capitals, and what elements that are context-specific and deal with local challenges (bottom-up). Still, there are trade-offs

²⁸ This was feasible because I speak Spanish and some Italian, and had French in school (which unfortunately did not leave a sufficiently deep and sustainable impact on me). I would learn French the three-four months prior to the fieldwork.

to conducting research in three countries, the most obvious of which is the lack of deeper and more thorough knowledge of one particular country context.

4.2.2. MULTI-SITED FIELDWORK

Fieldwork was conducted in Dakar, Bamako and Niamey²⁹ for four months,³⁰ from 1 October 2017 to 1 February 2018, and one week in Dakar in January 2019. Most of the time was spent in Dakar (about 2 months in total), followed by Bamako (about 1,5 months) and Niamey (about 4 weeks). The main source of data of this dissertation is typically categorized in the literature as ‘elite’ and/or ‘expert’ interviews (see section 4.5. under for methodological reflections).

The interviews

The main reason for interviews being the primary data source is that it turned out to be most easily accessible (see the section on access under). Interviewees were selected because they held a role as practitioners and mediators, beneficiaries, or direct observers, of the crime control policy exported from Brussels to West Africa. They thus constituted both ‘policy exporters’ and ‘policy importers’. I conducted 89 interviews across the three countries with a total of 115 people: 27 in Senegal, 39 in Mali and 23 in Niger.

The interviews lasted between 45 minutes and three hours, but most interviews lasted around 1,5 hours and were semi-structured. 25 of the interviews were conducted together with other researchers: 18 in Mali, 7 in Niger, and none in Senegal. Two interviews were conducted by phone. A distinct interview guide was prepared for each interview (i.e., some 3-4 broad topics and/or 5-15 potential questions) based on background research of the person’s role/job, crime control policy/intervention and context (see Appendix A for interview guide sample questions). Still, the interviews tended to deviate from the research guide, typically rather following up on things that the interviewee said, often being more like conversations. The interview questions were geared at uncovering practices, as well as various actors’ views on these practices (more on this in section 4.5. on epistemological challenges).

²⁹ Turning sick with malaria the day before departure unfortunately prevented me from going to Agadez in northern Niger, which is an important site with regard to the EU’s fight against migrant smuggling. Interviews with people in Agadez were therefore conducted by phone from Niamey.

³⁰ The length of the fieldwork was determined by teaching obligations at Aalborg University, which prevented me from staying longer in the field.

Category of interviewees	Number of interviews	Number of interviewees	Number of individual/group interviews	Interviews per country
EU diplomats and staff (EU Delegations, CSDP missions, ECHO, project staff)	19	28	1 interviewee: 13 2 interviewees: 4 Group interviews: 2	Mali: 10 Niger: 8 Senegal: 1
Diplomatic missions and in some cases their corresponding development cooperation agency (France, Germany, UK, Spain, Netherlands, Belgium, Denmark, USA)	12	15	1 interviewee: 9 2 interviewees: 3 Group interviews: 0	Mali: 7 Niger: 2 Senegal: 3
International Organizations (UNODC, IOM, Interpol, MINUSMA, AU)	15	14	1 interviewee: 14 2 interviewees: 0 Group interviews: 0	Mali: 5 Niger: 1 Senegal: 7
INGOs (International Red Cross, International Crisis Group, Avocats Sans Frontieres)	3	3	1 interviewee: 3 2 interviewees: 0 Group interviews: 0	Mali: 1 Niger: 1 Senegal: 1
Local civil servants from Ministries of Justice, Interior and/or Foreign Affairs	6	15	1 interviewee: 5 2 interviewees: 0 Group interviews: 1	Mali: 3 Niger: 1 Senegal: 2
Local criminal justice actors (police, gendarmerie, border police, customs, prosecutors, defence lawyers, judges, penitentiary authorities)	14	17	1 interviewee: 13 2 interviewees: 0 Group interviews: 1	Mali: 6 Niger: 2 Senegal: 6
Local civil society and human rights organizations	12	15	1 interviewee: 10 2 interviewees: 1 Group interviews: 1	Mali: 3 Niger: 5 Senegal: 4
Touareg rebel group leaders	2	2	1 interviewee: 2	Mali: 2
Other (e.g. journalists, researchers)	6	6	1 interviewee: 6	
Total	89	115	1 interviewee: 75 2 interviewees: 16 Group interviews: 4	Mali: 39 Niger: 23 Senegal: 27

Table 1. Overview of interviews in West Africa. Group interviews included between 3 and 10 persons.

Four interviews were conducted in ‘groups’ of between three and ten people, and some interviews were conducted together with other researchers. For instance, one group interview was conducted together with colleagues working on the Horizon 2020 project EUNPACK, with the military personnel at the EU’s military training mission (EUTM Mali) in Bamako. In other instances, the group interview emerged rather unexpectedly and needed to be spontaneously stunted as more people came to the interview than expected. For instance, to one interview at a government office in Niamey, ten of the office staff (one of which was a high-ranking civil servant in the Ministry of Justice) unexpectedly showed up for the interview without any prior notification.

Most interviews were conducted at the offices of the interviewees as this was the mode usually preferred and suggested by the interviewees. Some few interviews were also conducted in informal settings, like dinners and lunches. On two occasions I interviewed people twice.

The interviews were partly recorded and partly written by note. 42 interviews were conducted in French and thus recorded, with a couple of exceptions where the interviewees did not want to be recorded. The rest of the interviews were conducted in English, except three interviews in Spanish and one in Swedish/Norwegian and these were mostly not recorded but written as notes.

The choice of notes instead of recorder had an impact on the type of information obtained. There are trade-offs on both sides. When not using the voice recorder, one misses out on details which are important for interpretative types of interviews which focus on details in the narratives of the interviewees – meaning, focusing on *how* they say things. However, I was more interested in the information they could contribute: *what* they said (see section 4.5.). While at most times I could not know whether using a voice recorder or not would have inhibited interviewees from talking freely, in one case this became obvious. This was an interview where I did use the voice recorder as the interview was conducted in French. I was interviewing a top-ranking official in one of the countries’ penitentiary systems, and I tried to make him talk about the conditions in the prisons. The interview became utterly bizarre because the interviewee would say things like: ‘There are no human rights violations in prisons and all the prisoners get everything they need’. At the same time, he was finding classified reports in his bookshelf which he showed me and even lent me home to take a copy of, done by an NGOs about the terrible human rights situation in the prisons. While I asked him about the human rights violations that I saw highlighted in the reports that he showed me during the interview, he would just repeat: ‘there are no human rights violations in the prisons.’ It was only after the interview that I realized that this absurd situation had most probably been provoked by my voice recorder. This experience also made me more reluctant to use the voice recorder.

At some rare occasions, the interviewee would insist that the interview, or parts of it, be conducted according to Chatham House rules, but this mostly regards the interviews conducted in Brussels (following section).

Other data

Other data included written material that was handed to me by my interviewees, including pamphlets and reports by international organizations, government reports, and sheets/lists over training courses. Additionally, I have taken into account media articles, grey papers and NGO reports.



Image 5. In a Bamako-taxi on the way to interviews.

Not constituting direct data sources but rather background material, are the many experiences and non-written observations I had during my fieldwork and the many informal conversations with local people, expats, friends, journalists, other researchers and random people. Most of my time in Dakar, Bamako and Niamey was spent traversing various international offices, embassies and Sahelian Ministries, as well as in taxis to interviews, and in the waiting rooms of various diplomatic missions and Sahelian government agencies. For instance, I was a frequent visitor and spent hours wandering around and trying to find my way inside the Ministry of Justice in Niamey, the Ministry of Interior in Dakar, and cite administrative in Bamako. I would sit and drink tea with people in the waiting rooms (one interview was spontaneously conducted in the waiting room of a local human rights organization).

Much information would also be gained through informal conversations, which were not written down and thus do not constitute direct data. For instance, a conversation with drunk Spanish soldiers on a dancefloor in *Les Almadines*, Dakar, taught me that Spanish troops were assisting *Operation Barkhane* logistically; a conversation with guests at the neighbouring table at a restaurant in the same town made me understand the importance of paying attention to arms deals with regard to European involvement and military presence. That there is a problem of double hierarchical systems in the Malian army because European actors do not take into regard the traditional hierarchies in Malian society, I learned from a pizzeria owner in Bamako (who moreover had been a migrant in Europe, and whose pizzeria resulted from a European Commission-instigated resettlement deal). In all three fieldwork sites, but especially in Bamako, there is a vibrant cultural scene and expat life, and I would often meet my interviewees and other potential interviewees on various concerts, events or parties/bars. These constant conversations and observations constitute invaluable 'non-data'. Even unforeseen events such as getting the *palu*, malaria, and my subsequent one-week-hotel-confinement, turned out to provide an unexpected opportunity of insight into something I suspect researchers (and especially European policy-makers) rarely pay attention to: Nigerien television. I was very surprised to find out that, besides Mexican *telenovelas* which seem to be incredibly popular across West Africa, the TV was airing luxury travel documentaries about gastronomy in Europe. And this while I was in the country to research the millions of euro that the EU is spending on trying to discourage and dissuade people from travelling to Europe, including various types of information campaigns about the harsh conditions in Europe.

On two occasions I did shorter observations from which I have field notes. First, I did a couple of hours of participatory observation at a cybercrime workshop at the EU-funded Sahelian Security College in Bamako, which comprised five criminal justice actors from each of the five G5 Sahel countries. This was a valuable glimpse into the kind of shorter workshops for crime control professionals that are offered on a large scale by a range of external actors. The second observation included watching video footage from the IOM-organized theatre performances seeking to teach local communities in Senegal how borders are supposed to function, described in Article 3, that my interlocutors showed me.

More ethnographic type of fieldwork was considered. However, in the first half of the fieldwork (which included the time in Mali which probably provided most access opportunities for fieldwork into e.g. training of internal security personnel), language barriers inhibited this. When learning a new language, there is a large difference between conducting a two hours interview in full concentration with a voice recorder (and, in the case of my initial interviews, a colleague) which allows for the interview to be re-consulted later on, and the full immersion into an ethnographic field site where attention needs to be paid to a multitude of things simultaneously. Moreover, the types of ethnographic observations that this research would have significantly

benefited from, such as trainings of internal security forces and their everyday work for instance in accessible border zones (e.g. Senegal-Mauritania border) and their interaction with local communities, are difficult to access.³¹ It was first towards the end of the fieldwork that I actually had the contacts that could enable this kind of access, and the language skills necessary in order to carry out ethnographic fieldwork. Fieldwork in border zones may also be more dangerous for women than for men, although there are great examples of women having done comprehensive fieldwork in the region (Scheele 2012; Richter 2019). Thus, I suggest ethnographic fieldwork to rather be one avenue of further research that could build on this thesis – which has focused more on attaining a broad overview of the field through talking to as many different actors as possible.

Access

Access to informants, both international and local, was surprisingly easy. In general, informants would be welcoming and accommodating and would be happy to talk also outside official narratives. While international actors would be contacted by email, local actors needed to be contacted by phone.³² Email addresses and phone numbers would be snowballed, or on some occasions received from other researchers. In Mali and Niger, I coincided with colleagues, something that would also facilitate my access to informants as well as knowledge about the local context.³³ In Bamako, I also collaborated a lot with a Malian researcher who worked on the EUNPACK project, and we did several interviews together. In Niamey, I first met with other international researchers who were there for a workshop on borders in Africa, some of which were there conducting fieldwork as well. Here, I also collaborated with a local Touareg who took on the role as a driver and ‘fixer’ (i.e., facilitator of contacts) and became a friend.

³¹ I tried to gain access to do observation at the EU’s monthly donor coordination meetings on security projects in Mali, as well as a workshop for staff from several EU missions in the region, but was not granted it. Observations of trainings, or to follow European-trained internal security actors to their everyday work, would most probably necessitate gaining permission from the country’s Ministry of Interior.

³² In Senegal I had to get a permission from the Ministry of Interior.

³³ In Bamako I collaborated with colleagues, especially with Morten Bøås, Luca Raineri and Aboubakar Diallo working on the Horizon 2020 project EUNPACK on EU crisis response in the neighbourhoods, on which I had previously worked as NUPI-researcher. While initially benefitting from the contacts and networks of my colleagues, I would later share most of my other Mali-interviews with the project – of course notifying the interviewees beforehand that the interviews were conducted for two projects simultaneously. This collaborative effort resulted in the report *The EU, Security Sector Reform and Border Management in Mali. Working Paper on the Implementation of EU Crisis Response in Mali* (Bøås et al. 2018), for which I among other authored the chapter on border management. In Niamey, I did several interviews together with Philippe Frowd.



Image 6. With West Africa's last wild giraffes in the background, outside Niamey, Niger.

4.3. PHASE 3: BRUSSELS

The third phase of data collection took place in Brussels where I stayed for almost five months in the autumn of 2018. This data collection aimed to uncover how EU external crime policies and interventions had been decided upon and why, as well as the processes of how they had been designed (for instance, to what extent had West African actors been included in project formulation?). It was an important aspect of my research design to go to West Africa before Brussels because this would allow me to go beyond official narratives in interviews and to ask about real and concrete challenges that I myself had observed.³⁴ I also went to Brussels to personally

³⁴ Prior to the PhD I had for some time been doing research into the 'external dimension' of EU drugs policy, notably in Latin America and West Africa (see Stambøl 2016a, 2016b). I was puzzled to find that at a time when the international consensus on drug prohibition was cracking and it would be increasingly legitimate for governments across the world to pursue alternative and non-repressive approaches to deal with drug demand and supply, the EU (which had always been a bastion of progressive alternative drug policies) would in fact go the opposite way around in its external action: from a focus on (alternative) development it incrementally

understand, experience and unpack the ‘black box’ that I had been reading about in abstract scholarly articles. As such, ‘living the Brussels bubble’ provided an important glimpse into the EU structures from inside, providing a contrast to the fieldwork in West Africa.

During the five months in Brussels, I was guest researcher jointly at the Institute for European Studies (IES) of Vrije Universiteit Brussels in the Migration, Diversity and Justice Cluster (focusing on ED-JHA), and at the Brussels School of International Studies (focusing on Peace and Conflict studies and the Sahel). This opened some doors for me in terms of network and contacts, especially to talk to other researchers working on similar topics, and to attend events and conferences with both researchers, policy-makers and professionals.

During my time in Brussels, I also had several dinners and lunches with EU staff that were not official interview situations (and from which I do not have written data apart from keywords for myself to remember what we talked about), yet which have been equally valuable for me as the interviews in terms of understanding the ‘Brussels-side’ of EU’s crime policies outside Europe.

The interviews

In Brussels, I conducted 12 interviews with 18 people. All these interviews were conducted together with Enver Ferhatovic from Free University Berlin, who did a lot of the networking and contact finding for his own PhD project on EU SSR.

embarked on combating drugs trafficking through supporting the security, police, surveillance and repression in third countries from 2009 onwards (see Stambøl 2016b). This observation simply did not make any sense from a drugs policy perspective. The most convincing explanation I have come across till this date came to me in an informal chat with a former EU Commission staff at a conference in Amsterdam in 2014: Internal EU drug policy-making had simply been reorganized (due to the Lisbon Treaty), something which had unintended effects on EU external action. While decisions would before be taken by the Horizontal Drug Working Party (HDG), whose purpose it was to ensure a ‘balanced approach’ to drugs policy, main decision-making on internal and external drug policy were from 2009 moved to the Standing Committee on Operational Cooperation on Internal Security (COSI) which is mandated to make decisions on ‘internal security threats’. In other words, from being seen as an own policy area balancing considerations of health and repression (by a group of people who had drugs policy as their expertise), drug policy came to be a part of internal security policy and intermingled with other Justice and Home Affairs issues – such as terrorism, transnational crime and migration. As there were no longer any people sitting in Brussels with decision-making power thinking holistically about drug policy in third countries but rather on internal security, the responses coming out of it were predominantly securitized. This is the backdrop why I decided to go first to observe potential contradictions in the implementation of policies in third countries before going to Brussels to see whether this could contribute to their explanation.

Category of interviewees	Number of interviews	Number of interviewees	Number of individual/group interviews
Council structures/European External Action Service (EEAS): Civilian Planning and Conduct Capability (CPCC)/Crisis Management and Planning Directorate (CMPD)/Prevention of Conflicts, Rule of Law and SSR, Integrated Approach, Stabilisation and Mediation (PRISM) Division/Committee for Civilian Aspects of Crisis Management (CivCom)/the Political and Security Committee (PSC).	6	9	1 interviewee: 3 2 interviewees: 1 3 interviewees: 1
European Commission (Directorate-General for International Cooperation and Development (DG DEVCO); Secretariat Task Force Security Union.	3	4	1 interviewee: 3 2 interviewees: 1 3 interviewees: 0
European Parliament (Committee on Foreign Affairs (AFET)/Subcommittee on Security and Defence (SEDE)); Researchers from the European Parliament Research Service.	3	5	1 interviewee: 2 2 interviewees: 0 3 interviewees: 1
Total	12	18	1 interviewee: 8 2 interviewees: 2 Group interviews: 2

Table 2. Overview of interviews in Brussels

These interviews would typically last about one hour, in some instances 1,5 – 2 hours. They were conducted in the same manner as the interviews in West Africa.

4.4. ON POSITIONALITY: “VOUS ÊTES FRANÇAISE?” THE UNCOMFORTABLE BUT SOMETIMES USEFUL POSITION OF WHITE PRIVILEGE

On too many occasions I had this same bizarre conversation with different taxi drivers in Bamako of which I have tried to make sense:

Me: Pardon mon mauvais français, je suis en train d'apprendre.

Taxi driver: D'accord. Vous êtes française?³⁵

As a white person in the Sahel, and more so in Bamako and Niamey than in Dakar, you tend to not only automatically taken for being French but it may even be hard for people to imagine you to be anything else than French. This has to do, of course, with the fact that most white people there are French. Which again has to do with the colonial history and the postcolonial continued profound influence and presence of France in its former colonies. In fact, the extent of the presence of France everywhere in the Sahel was one of my largest surprises during the fieldwork.³⁶ Local people tended to lighten up when I told them I was Norwegian. Some would even say that they liked Scandinavia a lot because Scandinavians never had a problematic relationship with their country. Anti-colonial (and especially 'anti-French') sentiments have been growing the latest years across the Sahel and in Mali in particular – not least due to French military presence through *Operation Barkhane* which counts more than 5000 soldiers.³⁷ This is something I could sometimes feel (more than see) during my fieldwork – although there were demonstrations outside the French embassy at the time I was in Bamako, and I told not to go close to it at those times. These anti-colonial sentiments, which were especially accentuated among

³⁵ Me: I'm sorry for my bad French, I'm learning. Taxi driver: Ok. Are you French?

³⁶ This observation has stuck to my mind, and also constitutes the background for Article 4: When travelling with my Malian colleague on his motor bike through the streets of Bamako, we would often pass one of the biggest and most fortified compounds in the entire city with barbed wire, bomb-proof walls and security guards with weapons at the entrance, and I asked if it was one of the UN bases. My colleague said that no, that is a French company – Groupe Bolloré, which owns most of the ports in West Africa.

³⁷ See for example: “‘À bas la France !’ : enquête sur le sentiment anti-français en Afrique”, B. Roger, *Jeune Afrique* 03.12.2019, URL.: <https://www.jeuneafrique.com/mag/863817/politique/a-bas-la-france-enquete-sur-le-sentiment-anti-francais-en-afrique/> (accessed 28.05.20); ‘Pourquoi l’opinion publique malienne a une vision négative de l’opération Barkhane’, B. Haidara, *The Conversation*, 10.02.2020, URL.: https://theconversation.com/pourquoi-l-opinion-publique-malienne-a-une-vision-negative-de-l-operation-barkhane-130640?utm_source=twitter&utm_medium=footertwitterbutton (Accessed 28.05.2020).

my civil society interviewees, are the direct reason and inspiration for my decision to engage with neo-colonial theory (Article 4).



Image 7. Espace Franz Fanon in Niamey, Niger.

Ethnicity, class, gender, age, language skills and cultural competence play important roles in access to the field and the type of information obtained. As I mostly conducted interviews in embassies and Ministries, I would typically wear a shirt, elegant trousers and heels, even more amplifying an already obvious class difference from the rather poor surroundings that most parts of the three capitals are. However, this would make me blend more in with my interviewees (or, at least so I imagined). Yet I would have a strong feeling of unease when arriving in a taxi to a European embassy or international office (especially that of IOM), pass by the long lines of black people waiting (probably for their visa applications or similar issues), show my Norwegian passport and being welcomed straight into the embassy to see the high-ranking diplomats. I also cannot help thinking that similarity in terms of physical appearance facilitates the openness of informants and that this has to do with ethnicity or at least citizenship as well. It also made me very aware how mobility and access to a range of privileges are racialized, and how holding the citizenship of a rich European country opens a world of opportunities purely due to the luck of being born there. Several scholars have written about a global community or ‘transnational upper class’ of (predominantly western) humanitarian workers and academics – the ‘bona fide travellers’ – who are free to travel the world and benefit from globalization while most

people do not have this possibility (Bauman 1998; Aas 2011b). My fieldwork made me very aware that I belong to this class holding global privileges – both as a matter of citizenship, but also of social and economic capital, and, put bluntly, racialization. In the meeting with what some have termed the ‘immobilised global underclass’ (Pickering and Weber, 2006: 8), which comprises most people in Africa, one’s own opportunities and advantages get ever-more exposed. At the same time, I perceived that my whiteness and Europeaness would facilitate access and communication with my fellow European expat interviewees due to a range of commonalities: being white European expats in Africa and having a similar social background belonging to the highly educated European middle class. While being white and European seemed to generate familiarity and probably facilitated access with my European interviewees, my position as a young woman probably made me seem less of a threat, both in the eyes of European diplomats and local civil servants and practitioners. My interviewees were predominantly men (especially the Sahelian interviewees) and mostly older than me.

Concerning my Sahelian interviewees, it is harder for me to assess the level of access, trust and openness. When contacted, Sahelian interviewees rarely refused to be interviewed, but I do not know if this can be attributed to my Europeaness. On the other hand, I am almost certain that the kind of information and knowledge they would share with me would be different, and differently formulated, than what they would have shared with a country(wo)man. For obvious reasons this is difficult for me to know for certain. In some instances, my Sahelian interviewees would reproduce the official European narrative (e.g. ‘transnational organized crime is a key security threat preying upon areas with porous borders and needs to be combated’). This is interesting as it can mean that they originally had the same conception of crime and crime control as in Europe (which I not only strongly doubt but I am quite certain is not the case), that they have internalized the European discourse, or that they were pretending to have internalized it due to strategic reasons. If one draws on Chabal and Daloz’s (1999) understanding of African political power as instrumentalization, and Bayart’s (1993, 2000) concept of ‘extraversion’, the reproduction of the European counter-crime narrative could be understood as a strategy of aid and rent-seeking. From such a view, I, as a European researcher who will perhaps produce knowledge read by European policy-makers, should be served a story that reinforces the interviewees’ role as trustworthy beneficiaries of European security aid and assistance. Or, less strategically, they may have simply got used to paying lip service to the EU narrative when meeting Europeans. Yet other times interviewees were critical of European practices, detailing how for instance police training courses were a mismatch with what they wanted and needed (in case of criminal justice actors) or how counter-crime interventions were interfering with their way of life (in case of civil society organizations).

My general impression, especially with European interviewees, is that the higher ranking the interviewee had, and, thus, the more comfortable he would be in his

position, the more freely he would talk beyond official narratives. This was perhaps especially the case with the diplomats and some of the bureaucrats in Brussels, where I on some occasions felt like a substitute psychologist in which they could finally confide their ailments and disappointments with how things were (not) working, enticed by the promise of anonymity. In this way, my gender and age probably facilitated openness. Still, on many occasions, I would do interviews with other researchers (mostly male), and I experienced these interviews to be neither very different in terms of dynamics nor to be generating any different data than the ones I conducted on my own (except, of course, that they would also answer the questions of my colleagues – sometimes making it difficult to follow up with ‘cues’ when interesting things were said). In any case, with ‘elite’ and ‘expert’ interviews, the most crucial thing for being taken seriously and for extracting interesting information beyond that which can already be found in official documents and websites is to be very well prepared and to show one’s level of knowledge through the questions posed. The questions need to be tailored to the specific role/project and go beyond the information that can be found through all other channels (see also Petintseva et al. 2020). The above database on EU ‘internal security aid’ turned out to be invaluable for the preparation of interviews, not least due to the lack or very poor quality of the Internet connection in Mali and Niger which often inhibited proper preparation. In general, my experience is that if you can present a sufficient level of knowledge about the field of inquiry, the interviewee will open up and be happy to share and discuss details. The interviews then become more of conversations than strict questioning arising from a pre-made list of questions (see also Petintseva et al. 2020).

4.5. ELITE AND EXPERT POWER/KNOWLEDGE AND EPISTEMOLOGICAL (IN)COMPATIBILITY

The interviews that constitute the data of this thesis would typically fall into the category of what the methods literature refers to as ‘elite’ and/or ‘expert’ interviews. While the two are often conflated in the literature, there are differences between them, specifically because they pertain to distinct research traditions. ‘Elite’ interviews come from an Anglo-Saxon tradition, where elites are conceptualized as ‘having “power”, “authority” or “status”’ and are presumed to ‘have access to high levels of information, which makes them excellent targets to generate this information by using interviewing techniques’ (Donders and Van Audenhove in Petintseva et al. 2020: 13). While it is important to question information obtained through such interviews, they are nevertheless very useful for understanding ‘micro-politics of personal relationships and to relate them to a wider analysis of power’ (Petintseva et al. 2020: 12). The discussion on ‘expert’ interviews, on the other hand, pertains to a European and specifically German research tradition, where the ‘expert’ is seen either as a ‘source of specific knowledge about the study object’, a ‘person who is responsible for the development, implementation or control of solutions/strategies/policies’ or a ‘person who has privileged access to information about groups of persons or decision processes’ (Donders and Van Audenhove in Petintseva et al. 2020: 14). The

interviewees of this dissertation may fall into both categories, as some were selected by virtue of their professional position or role (e.g. EU staff/diplomat, criminal justice professionals, civil society organizations), and some by the knowledge they possess (e.g. researchers, journalists).

In criminology, the tradition of ‘studying up’ has often been referred to as researching ‘the powerful’ (Petintseva et al. 2020; see also Bittle et al. 2018; Tombs and Whyte 2003). Petintseva et al. 2020 note that ‘powerful’ not only refers to the social position of the interviewee vis-à-vis the researcher as is often the assumption in other disciplines but for criminological inquiries ‘very crucial is the combination of position (including power to define and to articulate which behaviours count as deviant or problematic) with talking about difficult, sensitive or secretive behaviours and situations’ (Petintseva et al. 2020: 16). As such, ‘powerful’ can also be understood through the ideal-typical category of the (transnational) ‘moral entrepreneur’ (c.f. Becker, 1997 [1963]; Andreas and Nadelmann 2006; Aas 2013):

‘In this sense, powerful actors (including politicians, social movements, media) steer definitions of deviant behavior and the ways in which social control is exercised. Mostly, however, we are speaking of people in positions of (public) legitimacy and authority, who have power over others and have access to material, social and symbolic resources and articulation power. Yet, it is important to keep in mind that (...) who counts as powerful is subject to societal changes and it is very much a relational matter’ (Petintseva et al. 2020: 17).

In order to reflect on what kind of knowledge that is generated through ‘elite’ and ‘expert’ interviews, however, I would argue that it is essential to reflect not only on what kind of power that interviewees express and articulate (and how what they say is shaped by power), but also how power is conceptualized by the interviewer/analyst – not least if one takes as a point of departure that power and knowledge are inextricably interlinked. The fact that this dissertation employs both a Foucauldian poststructuralist perspective (Articles 1 and 3) and critical/neo-Marxist perspectives (Articles 2 and 4) complicates this matter. The theory chapter (section 3.4.) argued that these strands of theorizing are ontologically and epistemologically incompatible, yet need to complement one another for a more holistic analysis of power. So how does investigating ‘the powerful’ look like methodologically from these two epistemological perspectives, and how have they been combined in this dissertation? My argument is that focusing interviews on *practices* and interviewees’ *views on those practices* solves the problem of incompatible epistemologies, which becomes more of an issue in the post-hoc analysis – where a choice needs to be made whether to understand practices as ‘real materiality’ and discourse as (un)masking that reality, or both practices and narratives as ‘discourse’.

In criminology, researching the ‘powerful’ stems particularly from a critical and neo-Marxist tradition of investigating state and corporate crime, something which is often

fraught with methodological complications arising from the neo-liberal order itself protecting people in power from research (see e.g. Tombs and Whyte 2003; Bittle et al. 2018). This thesis, however, is not about ‘unmasking crimes of the powerful’ (c.f. Tombs and Whyte 2003); rather, it is to investigate decision-makers and practitioners in institutions and systems of social control (c.f. Petintseva et al. 2020). Kvale (1996: 55-57) notes that interviews in the (neo-)Marxist traditions have typically had a purpose of studying dialectics – the contradictions that arise between the material and economic life and individual experiences – assuming that material conditions are the basis of social relations and consciousness. Thus, interviewees’ (individual) experiences are ‘systematically traced to the common economic and social conditions of their everyday world’ (1996: 7). When applying a critical realist/neo-Marxist perspective, this dissertation links interview data on micro-politics and practices to the broader political economy and (asymmetrical and historical) power relations between the Global North and South. For instance, my interviewees shared knowledge on what actors that had the power to shape West African penal legislation, what contradictions that arose in the projects’ implementation phase (including contradictions between official discourse, actual practices, and effects of those practices), and who had the power to shape the design and implementation of projects and policies (including the types of leverage that were used for pressuring the adoption of measures) – and who did not have such power. Power is thus viewed as something that certain actors hold as well as something that is reproduced by global structures and political economy, which can be countered by counter-power (resistance) of the more powerless.

Conversely, poststructuralist epistemologies reject binary categorizations of ‘powerful’ and ‘powerless’ and problematize the notions of ‘elite’ and ‘expert’ interviews altogether. Rather, power is produced in and through social relations and cannot be ‘possessed’ by individuals or organizations; simultaneously there is ample controversy about what constitutes the very categories of ‘elite’ and ‘expert’ (Smith 2006). In other words, power is not a matter of hierarchy but a relational construction, and it cannot be assumed that power allegedly resulting from a person’s high social position is automatically transferrable onto the interview situation (Smith 2006). According to this understanding, the ‘elite’ interview cannot be seen as inherently distinct from a ‘non-elite’ interview. From a poststructuralist perspective, this dissertation gives attention to how certain professional knowledges shape discourses (including their ‘empirical’, practical and material dimension) about crime and crime control in certain ways. It concurs that it is difficult to rank the (categories of) interviewees according to degrees of ‘eliteness’ or ‘expertise’; rather, the interviewees have different professional titles and hold different forms of expertise/knowledge which they practice and act according to. In fact, with regard to the Sahelian interviewees, it can be discussed whether the above categorizations of ‘civil servants’, ‘criminal justice professionals’ and ‘civil society’ make sense, as it has been repeatedly argued by Africanists that African state institutions tend to constitute ‘empty shells’ and that formal positions are bad indicators of the ‘real’ workings of

political power (Chabal and Daloz's 1999; Hüsken 2017; Vigh 2012; Bøås 2015). Perhaps in the African context, it is particularly true that 'those who may first appear to the researcher to be in positions of authority (by virtue of their professional position) may in reality not exert as much influence as first perceived. There might also be other, perhaps more obscure, 'elites' who exert influence through personal networks' (Smith 2006: 646). Some Foucauldian scholars have even questioned whether the research interview is at all an appropriate method for exploring 'histories of the present' because 'discourse is not just in people's reflective interpretation of 'events' but most significantly constitutive of the events themselves' (Fadyl and Nicholls 2013: 25). While I believe this to be a thought-provoking argument which encourages careful consideration of the compatibility of methods and research aims, I argue that this dissertation (which can hardly be characterized as a 'history of the present') is a case where interviews are the appropriate method for the aim of investigating how crime control models travel. Indeed, interviews (and observations – which are, however, not always possible) are sometimes the only way to know micro-practices of everyday life (which cannot be found in written text or symbols); thus being crucial methods for Foucauldian analyses of power that aim to go beyond abstract discursive deconstruction to empirically investigate the microphysical workings of power (c.f. Merlingen and Ostrauskaite 2007).

However, it should be noted that there are also limitations to interviews as the main data source when studying travelling crime control. One of them regards knowing whether and how crime control models are actually internalized in local practices and culture, or the microphysical forms of power in police and border guard trainings. In-depth knowledge on these issues difficult to get solely from what people say, and may require more ethnographic type of observations. However, immersion into one field site would make it difficult to get the broader overview that research across four countries has given (unless, of course, one has a lot of time, resources and field access to do in-depth multi-sited ethnography). As the conclusion will argue and suggest, more ethnographic type of research could be a continuation of and build on this research to explore more in-depth the 'localization' and the extent of cultural embeddedness of European political rationalities and technologies of crime control in West Africa.

4.6. DATA ANALYSIS

The interview data were coded in NVivo (see list of codes in Appendix B). The codes were developed based on topics and curiosities arising from reading the interview transcripts and interview notes, and do not subscribe to either a critical or poststructuralist epistemology but can be used for analysis within both.

One code is particularly worth mentioning here because it has direct relevance for one of the main arguments of this thesis. While the code 'learning from Europe' has many entrances, the pre-made code 'learning from Africa' has none. Or, it does have one

entrance, but the interview text coded in it deals with the *lack* of consultation with civil society in the Sahel countries in EU decision making processes, design of projects and allocation of funds. This is why I argue with some confidence that the crime control policies and models predominantly travel on a one-way-street from Europe to Africa. They do not travel the other way around. Philippe Frowd (2018) argues that security knowledge is not a one-way road, because African considerations are invited by the EU for instance at Euro-African conferences for security professionals. I do not find this argument entirely convincing. If the EU does some small adjustments of its predominantly top-down policies to better fit the local needs this can hardly be categorized as 'learning from Africa'.

The first analysis of the data was geared at finding patterns and contradictions in the data material. The article topics were then chosen based on, and/or built up around, particularly interesting findings, patterns and contradictions. Contradictions especially arise from the sometimes contrasting views and perceptions of international and local actors, or from their (at times incompatible) practices – including the unintended consequences of policies. Moreover, the analysis in each article is aimed at illuminating the issue at stake from different perspectives. Article 1 was geared towards finding patterns, and new particularly interesting tendencies, in the database on EU 'internal security aid'. Article 2 was built up around, first, documenting how internal security objectives practically play out in the practices of EU actors on the ground in the Sahel. Second, it looked into the contradictions that such practices sometimes create – especially those that meet strong resistance from local actors (civil society organizations), among other because EU policies create unintended consequences and harm locally. Article 3 was written especially for a workshop on security, borders and international development. Therefore, the data material was explored with regard to 'borders' in different understandings of the word. While the codes 'border management/border security', 'cross-border/transfrontalière', 'migration' and 'mobility' were particularly helpful in this regard, there was, however, a need to go beyond the codes to look through the whole data material again as 'border' can be understood in multiple ways. Article 4 emerged, as noted earlier, from the fact that anti-colonial discourse was very strong among many people whom I met across the Sahel, including among several interviewees – especially with civil society organizations. As such, this article took an empirical point of departure to explore theory. As my interviews in Brussels took place after having started thinking about this analysis and read neo-colonial theory (including Langan 2015, 2018), I became aware of asking questions in the interviews that aimed at uncovering the micro-dynamics of tying of aid (e.g. internal security indicators in budget support).

The limited space that articles provide for empirical analysis means that large parts of the data material are still unused. However, the plan is for as much of it as possible to become analysed in future publications.

4.7. ETHICAL CONSIDERATIONS

I received oral consent for the interviews and the recording. International actors, who were mostly approached by email, would receive a pdf with information about the PhD project. All interviewees would be briefed on my project at the beginning of the interview before consenting. The data has been stored in notebooks that have been locked down and on a password-protected computer. All the interviews have been deleted from the voice recorder and are only on the password-protected computer.

In the articles, interviewees have been anonymized. In one instance, I was unsure of the level of anonymization of a key interlocutor (Article 3). This interlocutor was contacted and given the finished article draft, on which he subsequently provided several rounds of thorough comments. As such, this constituted an additional layer of consent and an invaluable opportunity to correct misinterpretations and get ‘respondent validation’. This instance also made me very aware of a problematique which perhaps specifically arises when interviewing policy-makers and implementers, namely the delicate and sometimes uncomfortable balance between critiquing policy and not hurting the feelings of the interviewee who has informed about (or even created) those policies.

CHAPTER 5. CONTRIBUTIONS

Empirically, the contributions of this dissertation are broadly threefold: first, they constitute the first mapping of EU crime policy export over time and across regions; second, it provides in-depth empirical knowledge about the micro-politics and practices of the EU's export of its crime control models to Senegal, Mali and Niger; and third, it empirically documents the (often paradoxical) meeting point between European crime control models and Sahelian realities, including resistance to misplaced Eurocentric forms of crime control.

In terms of theory, the four articles make contributions across criminology and International Relations (IR). In other words, they explore the microphysics as well as structural forms of power in the EU's export of crime control to West Africa and its wider neighbourhoods. Articles 1 and 3 develop Foucauldian notions of governmentality with regard to the rationalities and technologies of crime control that the EU seeks to export, how these technologies (borders in particular) are transformed when mixed and intertwined with rationalities of foreign and development policy, and the meeting point with Sahelian countries' statehood, political power and forms of social control. Articles 2 and 4 rather draw on critical and/or neo-Marxist theory by first, analysing the EU's export of crime control as geopolitical hegemonic domination that produces 'paradoxical damage', and second, as structural domination and neo-colonialization of the penal sphere. In doing so, the thesis simultaneously makes contributions to the criminological theoretical debate on the relationship between crime control/penal power and state/sovereignty.

5.1. THE ARTICLES AND THEIR RESPECTIVE CONTRIBUTIONS

Article 1, entitled '*The External Dimension of the EU's Fight against Transnational Crime: Transferring Political Rationalities of Crime Control*', co-authored with Dr. Alessandra Russo, explores the broad trend of the EU's crime control export over time (15 years) and across regions (the extended Eastern and Southern neighbourhoods). It asks: How does the EU problematize 'transnational (organized) crime' as an object of governance in its (extended) neighbourhood, and how is this object rendered governable through particular political technologies of crime control? In terms of theory, the article argues that what is attempted transferred by the EU to third countries and regions is not merely a policy, norm, administrative arrangement, institution, or idea but also broader and culturally engrained modes of social control and specific *ways of thinking and doing crime control*. To further this argument, it develops a governmentality-inspired analysis suggesting that the EU attempts to transfer specific political rationalities and technologies of crime control. The empirical analysis is geared towards detecting and systematizing what political rationalities and technologies of crime control that the EU attempts to transfer to third countries, and the 'action at a distance' whereby it does so. The article's main

contribution is empirical, as it constitutes the first comprehensive review of the EU's export of crime control policies and 'aid to internal security' across regions. As such, the analysis also adds a regional comparative dimension that tends to be absent from analyses of EU export of internal security assistance. Its empirical basis is the review of 216 EU projects with objectives to combat transnational crime, amounting to almost €2.4 billion of EU aid: €877,5 million in the East and €1.5 billion in the South, which are coded according to the type of crime control. The article finds that a 'model' or 'template' of crime control is discernible as there are small variations in EU crime control exports across very different regions and countries. The main technologies of crime control that the EU tries to export typically include law enforcement (focused on intelligence-led policing, and less on 'community' policing) and border security (focused on technology/infrastructure, interdiction, interception). This means that other and de-securitized technologies and rationalities of crime control, such as rehabilitation, socialization, prevention, alternative development or harm reduction, are de-selected for export. The EU also puts much fewer efforts into third countries' judiciary and penitentiary sectors. Moreover, the article finds that the *types of crime* that the EU aims to fight have changed according to its broader policy agenda and region-specific challenges. Also, the incremental conflation of migration and transnational crime has spurred a new role for EU member states' Ministries of Interior as direct implementing partners of EU internal security aid in third countries. Generally, contracts tend to be awarded to EU member states' agencies along the lines of internal security interests and postcolonial ties. The article concludes that 'transnational (organized) crime' seems to constitute a 'suitable enemy' that can be moulded according to the EU's security agenda, the fight against it presented as an allegedly 'technical' arena voided of political contentiousness which no one can reasonably oppose, yet one in which the EU can demonstrate its security and even military capabilities. In shaping third countries' ability to criminalise, indict, convict and punish, the EU is simultaneously defining its own international security actorness, specifically consolidating its role as a 'global crime fighter'.

Article 2, entitled '*The Rise of Crimefare Europe: Fighting Migrant Smuggling in West Africa*' explores the processes, practices and consequences of EU crime policy export to and implementation in the Sahel region of West Africa. It asks: What is the role of criminalisation and crime control in the EU's policies in West Africa? How are European crime definitions and crime policy exported to West Africa, and with what consequences? In terms of theory, it expands Peter Andreas' (1997) concept of 'crimefare', originally developed for the USA context to denote the post-Cold War expansion of homeland security into the sphere of foreign policy that blurred notions of internal and external security, to that of the EU's role as a 'transnational moral entrepreneur' vis-à-vis its extended neighbourhoods. Moreover, the article draws on criminological theory conceptualizing the reproduction of global inequalities and inherent hegemony in the north-south export of crime control (Aas 2011a), and the 'transnational criminology of harm production' (Bowling 2011): bringing attention to the paradoxical damage and harm that repressive and misplaced crime control models

exported to the Global South often create. While focusing on the geopolitical dimension of crime control, the article's main contribution is an empirical analysis of how EU action has recently changed on the ground in the Sahel countries due to a new focus on Justice and Home Affairs issues and combating crime-related threats: from liberal state-building (promoting peace, democracy and human rights) to illiberal practices (criminalization, policing, surveillance, border security and militarization). It first observes how the EU, both through its Delegations, JHA attachés, and CSDP missions, attempts to shape the penal legislation (promoting the criminalization of 'migrant smuggling') and bolstering the internal security apparatuses of Niger and Mali, especially on short-term securitized crime-fighting capabilities to combat mobility-related crime and terrorism. Still, some of the crime definitions and control models exported by the EU are not only misplaced in the Sahelian reality, but they also meet strong resistance from local communities and civil society organizations. The criminalization of trans-Saharan mobility necessary for people's livelihoods is seen as highly problematic and has suspended regional legal frameworks. It has been well documented by researchers and journalists how EU action in Niger created a range of severely negative effects, including more dangerous routes for migrants, the collapse of the regional economy of Agadez, and growing insecurity and instability. The article concludes that despite the rhetoric of partnership and compatibility of European and African security, wars on crime seem to produce collateral damage, aggravate micropolitical instability and produce harm – often among the poorest and most marginalized communities.

Article 3, entitled '*Borders as Penal Transplants: Reshaping Territory, Mobility, and Illegality in West Africa*', explores an increasingly significant trend in crime and mobility control that has yet received scant criminological attention, namely 'border externalization' and the export of western 'penal aid' to the Global South. In doing so, it makes both empirical and theoretical contributions to the emerging field of 'border criminology'. Empirically, it investigates in detail the visions and practices of Western donors (not only the EU but also other international actors such as the IOM and the US) who build border security in the Sahel region. The article also makes a threefold contribution to criminological theory, arguing that investigating border security-building as a 'penal transplant' (c.f. Garland 2006) to non-western countries more clearly elucidates western ways of thinking and doing crime control, the role of borders herein, as well as the relativity of notions of crime and crime control across social and geographical contexts. First, the article finds that the 'penal transplant' of the border post is envisaged by donors both as a crucial manifestation of the state and as a technology of crime control, simultaneously embodying penal power, risk management and social service provision. Moreover, the border is increasingly becoming the target sector for penal aid as it seems that donors acknowledge their limits in building western-style sovereign states in Africa (c.f. Garland 1996). Second, analysis aimed at 'seeing from the periphery' (Aas 2012a; Carrington et al. 2016) uncovers how these Western visions of 'borders as state' and 'borders as crime control' collide with the social reality on the ground, as notions of crime, mobility,

territory and sovereignty contrast to those of donors. The article then draws on theoretical insights from anthropology and African studies on statehood, political power and illegality, to expand the criminological understanding of the relationship between borders, crime control and the state. Third, it delves into a novel type of international border security-building that epitomize the border as ‘performance.’ Through theatricalizing the border and its crime control functions, these projects seek to teach local border communities across West Africa risk awareness and territoriality: thus altering their border culture and habits, harnessing them as non-state partners in crime and mobility control. The article concludes that in their efforts at territorializing the body politic in West African states in order to fight crime, Western donors go beyond exporting border security as technical assistance by building border posts along lines in the sand; African state actors and communities are also to be engaged in their performance. Only then can the penal transplant of the border be fully internalized and contribute to redrawing the map of Africa.

Article 4, entitled ‘*Neo-Colonial Penalty? Travelling Penal Power and Contingent Sovereignty*’, explores the relevance of Kwame Nkrumah’s theory on neo-colonialism for criminology and the sociology of punishment, and its contribution to understanding why and how penal policy and models travel from the Global North to the Global South. It asks: how can neo-colonial theory shed light on the ways in which penal power travels and its relationship to state sovereignty? Neo-colonial theory focuses on the role of asymmetrical power structures and economic dependency in explaining why Western policies can still be imposed on African countries despite their juridical sovereignty. This article, however, suggests that the extent of neo-colonial co-optation may also be analysed sector-wise. As such, it discusses the ramifications of neo-colonialism as a theoretical framework for studying external influence in the criminal justice and penal sector, which moreover lays at the heart of the Weberian concept of state sovereignty as the monopoly of force. The article begins by reviewing criminological theory on travelling penal power, its relation to state sovereignty, and the broader structural and historical power relations within which such travel is embedded. It then presents Nkrumah’s original theory on neo-colonialism, discusses its more recent proponents within IR (Langan 2015, 2018; Gegout 2017), as well as similar poststructuralist perspectives on the ‘contingent sovereignty’ (Duffield 2007) of ‘governance states’ (Harrison 2004). Two empirical sections – which explore the EU’s ‘penal aid’ to shape West African countries’ penal policies and practices in order to stop illicit and irregular mobility to Europe – argue for and against ‘penal colonialism’, thereby teasing out the theory’s strengths and limitations. The concepts of agency, power and sovereignty are then interrogated, highlighting how neo-Marxist and poststructuralist perspectives, and African statehood theories differently see how African statehood as hollowed out from above (the Westphalian inter-state system dominated by hegemonic Western states) and from below (from contesting political orders and the lack of monopoly of force). The article argues that neo-colonial theory’s provides an important focus on the role of asymmetrical power structures in explaining Western intervention into third

countries' penal sectors. However, its analytical potential is limited by its binary conception of power as either neo-colonial – or not; something which poses serious problems in terms of operationalization. It therefore suggests that neo-colonial theory could be complemented by poststructuralist analyses of power as productive: seeing EU penal power projection as constitutive of African countries' ability to criminalize, indict, convict and punish. Penal power is then seen as working '*through* sovereignty' to control illicit mobility 'at a distance.' Still, neo-colonial theory importantly reminds us not to lose sight of the politically contested nature of external intervention, and the way in which it may subvert the accountability of penal power away from the people of the state.

CHAPTER 6. CONCLUSION

This thesis has sought to answer the research question: *How are Western crime control policies and models exported to the Global South, and what are the power implications herein?* It investigated especially, but not exclusively, how crime control models are exported by the EU to the Sahel region in West Africa.

First, the thesis delved into the research question: *How does the EU problematize 'transnational (organized) crime' as an object of governance in its (extended) neighbourhood, and how is this object rendered governable through particular political technologies of crime control?* It was suggested that what is travelling from Brussels to Europe's (extended) neighbourhoods is something broader than crime policies, penal norms and institutions, namely *ways of thinking and doing crime control* – i.e., political rationalities and technologies of crime control. In other words, the political technologies of crime control transferred embody theorizations of what should count as crime, as well as the ways in which crime should be combated and controlled. The empirical investigation of EU 'internal security aid' showed that the EU's category of 'transnational (organized) crime' beyond its borders has evolved over time, in line with the EU's broader security agenda: from focusing on drug trafficking, later terrorism and/or corruption, to now having a main focus on mobility-related crime such as migrant smuggling and human trafficking. The 'internal security aid' or 'penal aid' to third countries across the Eastern and Southern wider neighbourhoods to fight those threats thus selects certain crime control models to be exported while de-selecting others, increasingly favouring law enforcement capabilities focused on intelligence-sharing and interception as well as border security and technology, with much less focus on criminal justice or prisons.

Second, it was asked: *How are European crime definitions, policies and models exported to West Africa, and how are they transformed (or not) when intertwined with the logics and rationalities of foreign and development policy? (Articles 2 and 3)?* It found that it is rather EU external action that is transformed by the new focus on internal security objectives to combat mobility-related crime. The EU's Common Security and Defence Policy (CSDP) missions in the Sahel, traditionally tools of peacebuilding, state-building and crisis response, are progressively re-directed from comprehensive long-term institution-building towards short-term illiberal practices aimed at bolstering the Sahelian countries' internal security, policing and border management capabilities. Also, the EU's development policy has been re-shaped by the EU Trust Fund for Africa (EUTF) towards ameliorating the 'root causes' of illicit mobility – with aid directed at populations at risk of mobility and cross-border smuggling instead of poverty. This testifies to a rationality of crime control within which 'sovereignty' plays a growing role, thus reconfiguring liberalism to have a stronger focus on territorial control. Western border security-builders' intentions are that borders as 'penal transplants' should reshape West African forms of crime and

social control by territorializing them: the land border post is envisaged as a crucial manifestation of the state in its remote territories and as a technology of crime control, simultaneously embodying penal power, risk management and social service provision.

Third, the thesis aimed to answer the question: *How are Western crime control models implemented on the ground in the Sahel, what happens in their meeting with local social realities, and what are the consequences of transplanted European models?* It found that when border security is implemented in the Sahel context, the crime control functions of border security-building are distorted, as these ‘technologies of crime control’ are often not tailor-made for Sahelian realities, and locals tend to have different conceptions of crime, territory, mobility and sovereignty. Other ‘penal exports’, such as the crime categories that the EU transfers through shaping the penal legislation and crime control models of countries such as Niger, especially on ‘migrant smuggling’, are contested by local communities and civil society organizations, and produce harm locally. Not only does the crime category of ‘migrant smuggler’ not fit into Sahelian conceptions of illegality and illicitness, but the crack-down on ‘smugglers’ has disrupted the local ways of life by criminalizing a longstanding coping strategy necessary for survival in a (semi)desertic region. By doing so, it has a destabilizing effect on the country, something which highlights that the fight against transnational crime might in fact counteract other EU foreign policy priorities such as stabilization and peace.

Fourth, the thesis asked: *Within what (historical) structural power relations are North-South exports of crime control models embedded, and how can neo-colonial theory shed light on the ways in which penal power travels and its relationship to state sovereignty?* It argued that it is necessary for analyses of the flow of crime control models and penal power from Europe to West Africa to consider international political economy and (historically) asymmetrical power structures. Both neo-Marxist and neo-Foucauldian perspectives provide lenses to understand the ‘contingent’ nature of African countries’ sovereignty. Internal security aid and penal power flowing from the EU and other international donors can be seen as either constitutive of African countries’ penalties or as hollowing out their sovereignty. Thus, the power in north-south travelling crime control can be understood as both embedded in structural power asymmetries, as well as dispersed microphysics working through shaping beneficiaries’ micro-practices of crime control.

Empirically, this dissertation can be said to have taken a middle ground between two positions: studies of EU policy-making in Brussels on the one hand, and ethnographic studies of crime and crime control in Africa on the other. This middle ground was thus aimed at attaining a broad overview by exploring the entire crime control export process to several countries. However, future studies could build on this thesis to explore each of these areas more thoroughly.

On the one hand, more research is needed on how external crime policy is made in Brussels, including the interaction between actors from Justice and Home Affairs (JHA) and Common Foreign and Security Policy (CFSP). Such research is particularly topical given that the funding mechanisms that this thesis has explored will be replaced by a new foreign policy mega-instrument for the next multiannual financial framework (MFF) 2021-2027: the Neighbourhood, Development and International Cooperation Instrument, which comprises more than €86 billion. This new funding mechanism will seek to address the UN Sustainable Development Goals (SDGs), one of which is to ‘combat all forms of organized crime’ (SDG 16.4.; see Blaustein et al. 2018). However, criminologists note that the SDGs give no indication of *how* the international community is supposed to respond to the threat of transnational crime (Blaustein et al. 2018: 775). Research on crime control responses will therefore continue to be crucial. Moreover, such studies should take into account mechanisms of accountability, oversight and (human) rights protection regarding EU external action on internal security.

On the other hand, more ethnographic type of research would be required to explore whether, and the extent to which, European ‘rationalities and technologies of crime control’ are actually internalized and how by local beneficiaries and communities in West Africa. To what extent does European action contribute to changing the ways in which Africans think of and do crime control – and their ‘cultures of control’ (c.f. Garland 2001)? In particular, research should address a paradox uncovered by this thesis, which has also been highlighted by other research (e.g. Bowling 2011; Cohen 1988), namely that the crime control interventions of Western actors often inadvertently fuel instability, insecurity and rising violence in the Global South. This counteracts the (often undocumented) assumption underpinning international crime policy discourse about the effectiveness of counter-crime responses in bringing forth peace and security. Studies should therefore more systematically explore how transnational crime-fighting both promotes as well as disrupts peace and development, favourably combining criminological knowledge with anthropology, area studies and peace and conflict studies.

This thesis has provided an inter-disciplinary yet criminologically-grounded research that foregrounded ‘the political’ in studies of transnational crime control. Being at the intersection of the fields of ‘transnational criminology’ and ‘International Political Sociology’, it could therefore be seen as the starting point of an ‘International Political Criminology (IPC)’.

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Appendix A. Sample interview guide questions

Sample interview guide questions to international actors

The following questions are samples from various interview guides. The interviews were semi-structured and sometimes even unstructured, so this is to provide an idea of the types of initial questions.

- What is your organization's approach to fighting transnational crime?
- To what extent is your organization's approach to fighting transnational crime similar/different as that of other international actors? And local actors?
- The EU has been calling for the mainstreaming of JHA in EU external action. (How) do you notice this in your work? In particular with regard to: strategic priorities; resources/project portfolio; staff; guidelines; funding?
- What has been the role of [your organization] with regard to X policy/legal change? Who was also involved, how, why, when?

Design

- How was the project you manage designed? And by whom?
- To what extent did the design take into account local actors in the design/implementation/evaluation? Which ones? How?
- To what extent is research (or other kinds of knowledge) taken into account in the design of the project? What research/knowledge?
- Was an initial assessment made of the potential consequences of such a project?

Implementation

- What are the strategies of local ownership/appropriation?
- Challenges in implementation?

Monitoring/Evaluation

- How do you monitor projects?
- How do you evaluate projects?

Impact

- What indicators do you use to measure the success of the project?
- To what extent are these indicators project-specific/context-specific or general?
- What has been the impact of the project you manage?

- Unintended consequences?

Crime/security

- What do you perceive as the greatest challenges here in terms of crime?
- How do you perceive the local state officials' perceptions of the greatest challenges in terms of crime? Are they similar/different?
- Would you say that the work of your organization (with regards to crime/security) has changed or remained the same in the past decade?
- In your view, how does the "security-development nexus" play out on the ground?
- To what extent is the agenda driven by the headquarter v.s. field?

Sample interview guide questions to local actors

- Can you tell me about your work?
- What do you regard as the biggest challenges with regard to crime?
- What are your priorities in terms of fighting crime?
- Does your county/unit have a strategy and strategic priorities in terms of fighting crime?
- What are the priorities of international actors in your country in terms of fighting crime? Are they similar/different from those of your country/unit/your own?
- Have there been reforms in the criminal justice sector/your unit? Can you tell me about them? Who was involved, how?
- What was the role of the international community/actors/EU in this reform?
- What is your opinion about their involvement? How was it good/bad?
- What are your needs?
- Do you think that the support you receive from international actors corresponds to your needs?
- What kind of support do they give to sector X?
- What do you think about the EU's engagement? In X policy/law change?
- What kind of training did you get? How long time?
- What kind of equipment did you get?
- With this training/equipment – do you think you are well prepared for the challenges you face (in terms of crime)? Or would other training/equipment be needed?

Appendix B. NVivo codes

- (Criminal) court
- (Mis)trust in security forces
- (Understandings of) crime (threats)
- [Learning from Africa]
- Anti-colonial
- Border management_border security
- CIVIPOL
- Colonial legacies
- Conditionality
- Corruption
- Criminal justice chain
- Cross-border_Transfrontalière
- Cultural change and differences
- Development
- Donor coordination and cooperation
- EU cooperation with (sub) regional organizations and mechanisms
- Europe (and France) as bad examples to follow
- Expertise France
- G5 Sahel
- Gestion d'urgence
- Governance
- Human rights
- Information and intelligence sharing and exchange. Databases
- Intentions-implementation gaps and (unintended) consequences
- Intermingling of security threats or forms of crime
- Internal-external security nexus
- International law
- IOM
- La France
- Le grand criminalité (et banditisme)
- Law enforcement
- Learning from Europe
- Legal_New criminalizations_re-drafting of criminal law (role of international actors)
- Malian peace process
- Migration
- Mobility
- Natural resources (exploitation) and economic policies
- Niger 2015 law on migrant smuggling
- Organized crime
- Prison

- Realpolitik
- Reforms_Criminal justice reform_Penitentiary reform_Police reform_SSR_DDR
- Rights groups_social movements_advocacy action
- Security
- Security-development nexus
- Social equality (inclusion, equality as ideals to strive for) as solutions to problems
- Strategy and action plans
- Terrorism_violent extremism_radicalization_etc
- The EU
 - CSDP
 - EU visibility and profile
 - EUTF
 - Financing, funding lines etc
 - GAR-SI
 - IcSP
 - Staff
 - The EU's many faces_EU as a schizophrenic or unified actor
- The making of policies and projects_political process and negotiations_project design, implementation, impact
 - Impact
 - Implementation
 - Implementing partners
 - Knowledge production underpinning policy-making (incl best practices) and projects
 - Monitoring_suivi
 - Needs assessment
 - Ownership
 - Project design (who,where,how)
 - Success indicators
 - Vetting
- The presence of state (on its territory)
- Trade liberalization_Libre circulation_infrastructure
- Training, capacity-building, equipment provision
- Transnational professional networks - of law enforcement or judiciary_cross-border cooperation, joint investigations
- Transparency
- Underlying causes_root causes_drivers
- UNODC

[illegible]

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Screenshot EU internal security aid to fight transnational crime in the Horn of Africa

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